

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 1046 OF 2016
IN
NOTICE OF MOTION (L) NO. 1014 OF 2016
IN
SUIT (L) NO. 291 OF 2016**

United Platform of IDBI Bank Unions

... Applicant
Orig. Defendant No. 10)

In the matter between:

IDBI Bank Limited

...Plaintiff

vs.

All India IDBI Employees' Association & Ors.

....Defendants

Mr. Ashok D. Shetty, along with Mr. Arun D. Nagarjun , Ms. Rita Joshi and Mr. Swapnil Kamble, instructed by Mr. A.D. Nagarjun, for the Applicant-Defendant No.10.

Mr. S.K. Talsania, Senior Advocate, along with Mr. Vishal Talsania, instructed by Ms. Kanchan Pamnani, for the Plaintiff.

Mr. Arshad Shaikh, instructed by Satya M. Shettigar, for Defendant Nos. 1 to 4, 12 and 13.

*Mr. U.S. Upadhyay, AGP, for State (Cuffe Parade Police Station). Mumbai.
Mr. A.S. More, P.I. of Cuffe Parade Police Station present.*

**CORAM: S.J. KATHAWALLA, J.
DATE : 31st March, 2016
(In Chamber)**

P.C.

1. The Learned Advocate appearing for the Applicant -- Orig. Defendant No. 10 seeks leave of the Court to withdraw the above Notice of Motion. Leave

granted. Notice of Motion is accordingly dismissed as withdrawn.

2. It is the grievance of Defendant Nos. 10 and 11 that despite the order passed by this Court dated 23rd March, 2016, their members are not allowed by the Police officials of Cuffe Parade Police Station to assemble and/or shout slogans beyond a distance of 25 mtrs. from the main office of the Plaintiff Bank.

3. Mr. More, Police Inspector, Cuffe Parade Police Station is present before me. He states that he had not received the order dated 23rd March, 2016, upto 29th March, 2016. The statement of Mr. More is incorrect since Defendant Nos. 10 and 11 have produced a letter dated 26th March, 2016, forwarding a letter to the Cuffe Parade Police Station, which is received by the Police Station on 26th March, 2016. Be that as it may, Mr. More, Police Inspector, Cuffe Parade Police Station has assured the Court that the members of Defendant Nos. 10 and 11 and other employees shall be allowed to assemble and shout slogans beyond the distance of 25 meters from the main office of the Plaintiff Bank. Mr. Swamy Elanjelian, Jt. Secretary of Applicant Union, has assured the Court that the members of Defendant Nos. 10 and 11 and other employees shall assemble beyond the distance of 25 meters from the main office of the Plaintiff Bank and shall hold peaceful demonstration. The assurance given by the Police Inspector as well as Mr. Swamy are accepted. Needless to add, if the employees or members of Defendant

Nos. 10 and 11 breach the assurance given to this Court, then the Police shall be at liberty to take appropriate action to maintain law and order.

(S.J. KATHAWALLA, J.)