

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.3383 OF 2016

Smt. Usha Dhondiram Khairnar & Anr. .. Petitioners
Vs
The Chief Executive Officer and Others. .. Respondents

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Shri S.R. Nargolkar i/b Shri Ketan Joshi for the Petitioners.
Shri Abhijeet Kulkarni for the Respondent No.1.
Shri S.G.Surana for the Respondent No.2.
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CORAM : A.S. OKA &
SMT.ANUJA PRABHUDESSAI, JJ

DATED : 16TH DECEMBER 2016

PC.

1. Not on board. Taken on board.
2. Learned counsel appearing for the Petitioners on instructions states that today the Petitioners have lodged the appropriate proceedings before the High Power Committee for challenging the order dated 8th December 2016.
3. In some other matter, we are informed across the bar that the High Power Committee will not be available in this month and the first sitting of the High Power Committee will be on the first Saturday of January 2017.

4. In view of the fact that the Petitioner has availed of the remedy available, we need not keep this Petition pending and we pass the following order.

ORDER :

- (a) The Petitioners shall move an Application before the High Power Committee for taking up the proceedings filed by the Petitioners for consideration of the ad-interim relief either on 7th January 2017 or 21st January 2017;
- (b) The order passed on the prayer for grant of ad-interim relief shall be made available to the Petitioners or any one of them;
- (c) Till the date on which a copy of the order passed by the High Power Committee is made available to the Petitioners or any one of them, the impugned order dated 8th December 2016 shall not be implemented. If the order of High Power Committee be adverse to the Petitioners, this protection will continue to operate for a period of two weeks from the date on

which a copy of the order is made available to the Petitioners or any one of them;

- (d) We make it clear that the High Power Committee shall decide the prayer for ad-interim relief without being influenced by the limited protection granted by this Court. We make it clear that the prayer is granted only in view of the fact that the High Power Committee is not available;
- (e) The Petition is disposed of on above terms;
- (f) We make it clear that the benefit of the relief granted under this order shall be available only to the Petitioners in this Petition;
- (g) All concerned to act upon an authenticated copy of this order.

(SMT.ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)