

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO.47 OF 2015
IN
WRIT PETITION (ST) NO.253 OF 2015

District Commandant, Home Guard, Akola and anr.

-vs-

Arun Suryabhan Salkute (since dead thr. his legal heirs) Suman wd/o Arun Salkute and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. T. Khan, AGP for petitioners/applicants.
Shri S. K. Sable, Advocate for respondents.

CORAM : A.S.CHANDURKAR, J.
DATE : July 12, 2016

By this application, the petitioners have prayed for staying the effect and operation of the order passed by the Labour Court directing reinstatement of the original complainant alongwith a direction of payment of backwages. It is submitted that the engagement of the original complainant was as a 'Home Guard' and hence the relief as sought in the complaint could not have been granted. This fact is disputed by the legal heirs of the original complainant on the ground that the engagement of the original complainant was as a 'Watchman'.

Since the writ petition has been admitted and the original complainant is now survived by his legal heirs, the interest of justice will be served by continuing interim relief and expediting the hearing of the writ petition. In view of aforesaid, the application is allowed. The ad interim order granted on 09/01/2015 shall operate as interim order during

pendency of the writ petition. The writ petition is directed to be listed for hearing in the week commencing from **22/08/2016**.

Civil application is disposed of.

JUDGE