

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 309 OF 2017
IN WP/2571/2016

ASHOK SAKHAHARI YEWALE
VERSUS
DR.BABURAO BAPUJI TANPURE COOPERATIVE SUGAR FACTORY
LIMITED AND ANOTHER

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Advocate for Applicant : Shri Barde Parag Vijay.
Advocate for Respondent No.1 : Shri R.R.Karpe.
AGP for Respondent 2 : Shri N.T.Bhagat.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 20th January, 2017

Per Court:

1 The Applicant/ original Respondent is before this Court in this Civil Application submitting that the conditional interim relief granted by this Court to the original Petitioner/ Non Applicant Sugar Factory on 15.03.2016 stands vacated since the Sugar Factory did not deposit Rs.6,50,000/- in this Court within four weeks from the date of the order of this Court. The Applicant, however, makes a grievance that though the recovery certificate has been issued on 02.06.2016 by the Assistant Commissioner of Labour, Ahmednagar, the same is not being acted upon by Non Applicant No.2/ Revenue Collector.

2 Though Shri Karpe, learned Advocate for Non Applicant No.1/ Sugar Factory, has opposed this application, I am not convinced of his submission since the interim relief granted by this Court was conditional and the Sugar Factory was under an obligation to deposit Rs.6,50,000/- which it has not so done.

3 The learned AGP appearing on behalf of Non Applicant No.2/ Revenue Collector submits that he will ensure that the process of law is set in motion and there shall be no obstruction in the exercise of his jurisdiction.

4 In the light of the above, this Civil Application is disposed of by observing that Non Applicant No.2/ Revenue Collector would be at liberty to proceed with the recovery certificate dated 02.06.2016 and recover the arrears of amount set out therein, as expeditiously as possible and preferably within a period of SIX MONTHS from today.