

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

901 WRIT PETITION NO. 1665 OF 1999

**ADMINISTRATOR, COMMAND AREA
DEVELOPMENT AUTHORITY, JALGAON
& ANR.**

VERSUS

**THE SUPDT. ENGINEER, MECHANICAL
CIRCLE GATE, PUNE - 1 & ORS.**

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Mr. D.R.Shelke, Advocate for Petitioners.

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CORAM : P.R.BORA, J.

DATE : 25th APRIL, 2017

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ORDER :

1. Though duly served, respondent No. 3 has not entered his appearance in the matter.

2. Present Writ Petition has been filed in exception to the Order dated 20/07/1998 passed by the Industrial Court at Nasik in Complaint [ULP] No. 53/1989. Respondent No. 3 herein had filed aforesaid complaint

alleging commission of unfair labour practice by the present petitioners under Item 5 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 [for short, 'MRTU & PULP Act']. Said complaint was allowed by the Industrial Court and the petitioners were directed to promote respondent No. 3/original complainant to the post of Foreman w.e.f. 01/05/1988 and to pay him difference of wages of said post from the said date. This Court on 19/04/1999, while admitting present Writ Petition, granted ad-interim relief in terms of prayer clause 'D' and thereby stayed the effect and operation of the impugned order.

3. When the present matter was taken up for hearing today, Mr. Shelke, learned counsel for the petitioners tendered across the bar copy of Govt. Resolution dated 25/03/2001, whereby respondent No. 3 herein has been given promotion w.e.f. 01/05/1988 and he has been awarded difference in the wages of the intervening period. Copy of said Govt. Resolution is taken on record and marked 'X' for identification.

4. In view of the subsequent development as above, the Writ Petition has become infructuous. It,

therefore, stands disposed of being infructuous.

[P.R.BORA, J.]

KNP/W.P. 1665.1999