

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.321/2017
IN
WRIT PETITION NO.1337/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Kiran S. Bapat i/b. S. S. Inamdar for the applicant
Mr. Kanhaiya S. Yadav i/b. Neel G. Helekar for the respondent No.1.

CORAM : K. K. TATED, J.
DATE : FEBRUARY 7, 2017

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the applicant, the matter is taken on board for urgent orders.
2. By this application, the applicant is seeking condonation of two days delay in complying with the order dated 05.12.2015 passed by this court.
3. The learned counsel for the applicant submits that this court, by order dated 05.12.2016 granted interim relief in terms of prayer clause (c) in Writ Petition No.1337/2016 on condition that the applicant to deposit the entire arrears of

respondent's back wages as per order dated 29.08.2011 passed by the Judge, Labour Court, Solapur within 8 weeks from the date of order. He submits that he has already deposited the entire amount before the trial court at Solapur on 01.02.2017. In support of that contention, he relies on Exhibit-B, page 10 i.e. application filed by them before the Labour Court, Solapur. He submits that by mistake, there is delay of two days and that may be condoned.

4. The learned counsel for the respondent opposed the civil application.

5. Considering the submissions made by the learned counsel for the applicant and as the applicant has already complied with the order dated 05.12.2016, I am of the opinion that the applicant has made out a case for condonation of delay in complying with the said order.

6. Hence, following order is passed:

a. Delay in complying with the order dated 05.12.2016 is condoned.

b. The Labour Court, Solapur is directed to accept the amount deposited by the applicant on 01.02.2017.

c. Interim protection granted by this court on 05.12.2017 to continue.

d. Civil application stands disposed off accordingly.

JUDGE