

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

WRIT PETITION NO.3788/2017
WITH
WRIT PETITION NO.3790/2017

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. Kuldeep U. Nikam for the petitioner
None for the respondents.

CORAM : K. K. TATED, J.
DATE : MARCH 31, 2017

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the petitioner, the matters are taken on board for urgent orders.

2. By these petitions, the petitioners challenge the judgments passed by the Industrial Court, Maharashtra, Sangli in Revision confirming the orders passed by the Labour Court, Sangli, rejecting the petitioner's application u/s.30(2) of Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (said Act).

3. In the present proceedings, the respondent issued final notice dated 05.10.2015 calling upon the petitioners to show cause as to why their services should not be terminated in view of the Apex Court judgment. The said final notice was challenged by the petitioner by filing a complaint u/s.28(1) read with Item 1(a)(b)(d)(f) of Schedule IV of the said Act. In that complaint, the petitioners had made an application for interim relief under section 30(2) of the said Act. The Labour Court, as well as the Industrial Court dismissed the petitioners' claim for interim relief. Hence, the Writ Petitions.

4. After arguing for some time, the learned counsel for the petitioners submits that they may be permitted to withdraw both the Writ Petitions with liberty to file reply to the final notice dated 05.10.2015. To that effect, he made endorsements on farad. Same are taken on record and marked "X" and "X1" for identification. Same are accepted. He further submits that as on today, both the petitioners are in service. Their services be protected for some time.

5. Considering the submissions made by the learned counsel for the petitioners and the

endorsements made in writing which are taken on record, following order is passed:

- a. Writ Petitions stand disposed of as withdrawn.
- b. No order as to costs.
- c. Liberty granted to the petitioners to reply to the final notice dated 05.10.2015 on or before 07.04.2017.
- d. Parties are directed to maintain *status quo* as of today till 07.04.2017.
- e. It is made clear that the complaint filed by the petitioners before the Labour Court shall be decided on its own merits without being influenced by this order.

JUDGE