

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9890 OF 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.Rakesh Sawant, Advocate for the Petitioner.

Mr.Shantanu Chandratre, Advocate for the respondents.

CORAM : R. G. KETKAR, J.

DATE : 03/08/2017

P.C.:

1. Heard Mr.Rakesh Sawant, learned Counsel for the petitioner and Mr.Shantanu Chandratre, learned Counsel for the respondents, at length.

2. By this Petition under Article 226 of the Constitution of India, the petitioner has challenged the judgment and order dated 18.8.2016 passed by the learned Member, Industrial Court, Mumbai camp at Industrial Court at Thane (for short, 'Tribunal') below Exhibit U-2 in Complaint (U.L.P.) No.256/2015. By that order, the Tribunal rejected the application made by the petitioner, hereinafter referred to as the complainant, seeking temporary injunction restraining the

respondents from terminating his services; directing the respondents to continue to engage the complainant during pendency of the complaint.

3. Mr. Sawant states that the petitioner is present in Court. He has tendered a photo copy of his Identity Card issued by Social Justice and Special Assistance Department, Government of Maharashtra, which is taken on record and marked 'A' for identification.

4. Upon taking instructions from him, Mr.Sawant states that respondent No.1 has served the charge-sheet on 11.7.2017. The petitioner is ready to face the enquiry. Respondent No.1 may be directed to pay subsistence allowance as is admissible. Upon taking instructions from him, he seeks permission to withdraw the Petition.

5. On the motion made by Mr. Sawant, Petition is allowed to b withdrawn and is dismissed as withdrawn. Needless to state that as the petitioner is under suspension, respondent No.1 will pay subsistence allowance in accordance with law.

(R. G. KETKAR, J.)