**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**LETTERS PATENT APPEAL NO. 4 OF 2017**
**IN**
**CIVIL APPLICATION NO. 217 OF 2011**
**IN**
**WRIT PETITION NO. 3897 OF 2008**
**WITH**
**CIVIL APPLICATION NO. 8 OF 2017**

**The State of Maharashtra & ors. ..Appellant.**
**Vs.**
**Shri Ramdas Shankar Bagul. ..Respondent.**

**Ms. Kavita Solunke, AGP for the Appellant.**

**CORAM : R. M. SAVANT &**
**SMT.SADHANA S. JADHAV, JJ**
**DATE : 18th JULY, 2017**

**P.C.**

1 The above Letters Patent Appeal takes exception to the Order dated 11/2/2011 passed by a learned Single Judge of this Court(Coram : Smt. Nishita Mhatre, J). By the said order, the Civil Application bearing No. 217/2011 filed by the Appellant came to be dismissed and the relief sought of modification of the Order dated 22/9/2008 came to be rejected. By the said order dated 22/9/2008, the above Writ Petition came to be admitted and interim reliefs were refused on the ground that the Respondent workman was already reinstated in August, 2000.

2 Insofar as the above Writ Petition No. 3897 of 2008, the same was

filed challenging the Judgment and Order dated 6/10/2005 passed by the Industrial Court, Nashik by which order the Industrial Court, Nashik dismissed the Revision Application filed by the Appellants herein i.e. the State and its authorities. The said Revision Application was directed against the Judgment and Order dated 7/7/2000 passed by the Labour Court, Nashik by which order the Labour Court, Nashik was pleased to allow the application by the Respondent workman alleging unfair labour practice on the part of the State and its authorities in the matter of not regularising the services of the Respondent workman. As indicated above, the above Writ Petition came to be admitted by order dated 22/9/2008 and in view of the fact that the Respondent workman was already reinstated in August, 2008, the Court did not find any need to grant any interim relief to the Respondent workman. The State and its authorities thereafter, filed said Civil Application No. 217 of 2011 seeking modification of the order dated 22/9/2008, which as indicated above was based on the statement made by the learned Counsel for the Respondent that he was already reinstated in August, 2008. The learned Single Judge of this Court did not deem it appropriate to modify the said order in view of the fact that in the said statement made by the learned Counsel for the Respondent workman was not controverted on behalf of the State.

3 We are informed at the bar that the above Writ Petition alongwith the companion Writ Petition is still pending hearing and final disposal. The

above Letters Patent Appeal is therefore, filed against an interim order. In view thereof, we do not find any reason to exercise the jurisdiction under the Letters Patent. The above Letters Patent Appeal is accordingly dismissed.

4 In view of disposal of the Letters Patent Appeal, nothing survives in the above Civil Application. The above Civil Application to accordingly stand disposed of.

**[SMT.SADHANA S. JADHAV,J]** **[R.M.SAVANT, J]**