

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L.) NO. 982 OF 2017

Subhash Pathak and 4 Others ... Petitioners.

V/s.

State Bank of Patiala & Anr. ... Respondents.

Mr. Yashashree A. Sutrale, Advocate for the Petitioners.
Mr. Atul Damle a/w. R.R.Lanjekar, Advocate for Respondents.

**CORAM : ANOOP V. MOHTA AND
RAVINDRA V. GHUGE, JJ.**

DATE : 05 MAY, 2017

FINAL ORDER :

1 We have considered the prayers put-forth by the Petitioners. Their claims for being declared as permanent employees in the service of the Respondent establishment are necessarily required to be proved on the basis of oral and documentary evidence.

2 The learned senior Advocate appearing on behalf of Respondent No.2 Bank submits that Respondent No.1 Bank is no more in existence and it has merged with Respondent No.2 Bank. He further submits that all these petitioners who

had entered into individual contacts with the erstwhile Respondent No.1 Bank have been discontinued / terminated by termination of the contracts after the merger of Respondent No. 1 in Respondent No.2.

3 Considering the above, the learned counsel for the Petitioners seeks leave to withdraw this petition with liberty to raise an industrial dispute before the Regional Deputy Commissioner of Labour or any such competent authority for challenging the termination of the petitioners as well as for setting forth the claims for regularization and permanency with the Respondent Bank.

4 In the light of the above, this petition is disposed of as withdrawn on instructions.

5 Liberty is granted to the petitioners to raise an industrial dispute for challenging their termination / seeking regularization by raising an industrial dispute before the appropriate government, which is the Central Government.

6 All contentions of the litigating sides are kept open.

(RAVINDRA V. GHUGE,J.)

(ANOOP V. MOHTA J.)