

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

**NOTICE OF MOTION NO. 375 OF 2016
IN
WRIT PETITION NO. 2328 OF 2015**

Central Bank Employees Union	}	
and Ors.	}	Applicants
in the matter of		
Central Bank Employees Union	}	
and Ors.	}	Petitioners
versus		
Central Bank of India and Anr.	}	Respondents

Mr. S. K. Singhavi – Senior Advocate i/b.
Mr. Devmani Shukla for the
applicants/petitioners.

Mr. Sudhir Talsania – Senior Advocate
with Ms. Radha Ved i/b. M/s. Sanjay
Udeshi and Co. for respondent nos. 1 and 2.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- JANUARY 13, 2017

P.C. :-

1. This notice of motion seeks clarification of an order passed on 24th February, 2016 or a recall or modification of that order.
2. The writ petition was disposed of by this court on 24th February, 2016 by the following order:-

“1. The Central Bank Employees-Union in this Petition raise an issue revolving around with check-off facility made available to the employees and its withdrawal by the Respondents.

2. heard learned Senior counsel appearing for the parties. This is one such case where in our view, in the interest of both management as well as the Employees-Union the parties must sit and settle the issue amicably in view of their mutual relations and smooth working of the financial institutions. After hearing the Petitioners for some time, it is agreed that the Petitioners shall make a representation/along with a bond for good behaviour within a period of one week and the Respondents shall consider the same in view of the existing practice as early as possible and preferably within a period of three weeks after receipt thereof. The learned senior counsel for the petitioners is agreeable to submit such representation/bond of good behaviour on taking instructions from Shri Subhash Sawant, General Secretary of the Petitioner-Union.

3. Petitions are allowed to be withdrawn with liberty.”

3. After this motion was argued for some time before us and we indicated to both sides that ordinarily such a request, as is emanating from the prayer, should be considered by the very Bench, which passed the order dated 24th February, 2016, Mr.Singhavi and Mr. Talsania, on instructions, stated that the parties have no-objection to this Bench taking up this notice of motion.

4. After it was argued for some time, both sides further agree that this notice of motion can be disposed of on the statement of Mr. Talsania that respondent no. 1 bank shall duly consider the representation dated 6th April, 2016 and communicate its decision on the same to the petitioner union within a period of two

weeks from today. Both sides agree that this notice of motion can be disposed of by this arrangement and statement made. We accordingly dispose of this notice of motion treating the statements of Mr. Talsania as undertakings given to this court.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)