

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.7219 OF 2004

The Chief Officer,
Ahmednagar Municipal Council,
Ahmednagar

..Petitioner

Vs.

1. Ramdas Govind Shinde,
Age : 32 years, Occ. Service,
r/o.Kedgaon, Kamble Mala,
Near-Poona Road,
Ahmednagar

2. Sanjay s/o. Bajirao Sathe,
Age : 36 years, Occ. Service,
r/o. Shiradhon, Tq.Nagar,
Dist. Ahmednagar

3. Siddharth Auto Engineers Private
Limited, Pune,
Shiv Prasad Society, Panmala,
Sinhgadh Road, Pune

..Respondents

Mr.K.N.Lokhande, Advocate for petitioner

Mr.Pradeep Shahane, Advocate for respondent nos.1 and 2

CORAM : RAVINDRA V. GHUGE, J.

DATE : MAY 10, 2018

ORAL JUDGMENT :

1. The petitioner - Municipal Council has
challenged an interlocutory order dated 08.04.2003

passed by the Industrial Court, Ahmednagar, in Complaint (ULP) No.91 of 2001 filed by the two respondents, by which the petitioner was directed to pay wages of the complainants from May, 2000 till March, 2003 and continue to pay the wages till final disposal of the complaint. Further direction is issued that the respondents - original complainants should not be terminated by the petitioner.

2. This Court passed an order on 07.12.2004 staying the impugned order. By a further order dated 04.02.2005, this petition was admitted and the petitioner was directed to pay the wages to the respondents for the period for which they had worked. The ad-interim order granted earlier was modified to this extent.

3. Mr.Shahane, learned Counsel submits that respondent no.1 - Ramdas has passed away and further instructions are not communicated from the family of the deceased to the learned Advocate. A photostat

copy of the envelope/communication sent by Mr.Shahane (four pages) is taken on record and marked as "X" for the purpose of identification.

4. The learned Counsel for the petitioner, on the basis of the instructions, submits that the pending Complaint (ULP) No.91 of 2001 has been disposed of by the Industrial Court on 13.04.2006 and this matter would, therefore, become infructuous.

5. As the impugned interlocutory order, which has been stayed, would merge into the final result of the complaint, this petition is disposed of for being rendered infructuous. Rule is discharged.

[RAVINDRA V. GHUGE, J.]

kbp