

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

WRIT PETITION NO.177 OF 2018

Sunil Ratan Tambe .. Petitioner.

Vs.

Managing Director,
Pune Mahanagar Parivahan
Mahamandal Ltd. .. Respondent.

Mr. Vivek Patil with Mr.Sachin K. Hande for the petitioner.

Mr. Rohit Sukhdeo for the respondent.

CORAM : A.K. MENON, J.

DATED : 15TH JANUARY, 2018

P.C. :

1. Vide order dated 10th January, 2018 this matter came to be adjourned to date at the request of counsel for the respondent in order to enable him to obtain instructions.

2. Today, learned counsel appearing for the petitioner states that the respondent – corporation has instructed him vide letter dated 12th January, 2018 that they are willing to consider the petitioner's reply, if any filed in accordance with law and if the decision is adverse to the petitioner, the same will not be implemented for a short period of time as may be directed by this Court. He has tendered a copy of the letter addressed to him

instructing him accordingly. The copy is taken on record and marked "X" for identification. The counsel for the petitioner is agreeable to comply with the aforesaid and undertakes to file reply to the show cause notice dated 28th December, 2017 against which the action is proposed to be taken. In the circumstances the following order is passed :

- (i) The petitioner shall file his reply against the show cause notice dated 28th December, 2017 on or before 29th January, 2018. If the reply is filed, the corporation shall proceed to decide and take a decision in the matter within eight weeks from 29th January, 2018.
- (ii) If the decision taken by the respondent – corporation is adverse to the petitioner, the same shall not be implemented for a period of three weeks thereafter and not later.
- (iii) It is made clear that the corporation is at liberty to pass appropriate order after hearing the petitioner even earlier than the period of eight weeks granted.
- (iv) In the meanwhile the corporation shall file its reply to the proceedings before the Industrial Court and the Labour Court within a period of three weeks from today.
- (v) The petition is disposed of in above terms. No order as to costs.

(A.K. MENON,J.)