

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

**CIVIL APPLICATION NO.239 OF 2018
IN
WRIT PETITION NO.1180 OF 2010**

Nityanand Krishna Prabhavalkar .. Applicant/Petitioner
Vs.
Panchganga Co-operative Sugar Factory Ltd. .. Respondent

Mr. Gajanan M. Savagave for the applicant/petitioner.
Mr. Meelan Topkar for the respondent.

**CORAM : A.K. MENON, J.
DATED : 19TH MARCH, 2018.**

P.C. :

1. By this Civil Application, the petitioner seeks a direction to the respondent to allow him to join work at a sugar factory during the crushing season for the year 2017-18. The applicant makes a grievance that respondents have denied the request made by the applicant/petitioner vide his letter dated 14th October, 2017 at Exhibit"E."
2. Mr.Topkar on behalf of the respondent states the application by the petitioner has already been rejected by letter dated 30th October, 2017. Mr. Topkar states he was at liberty to apply for engagement at the respondent factory since the order of admission of this petition was

based on 1st April, 2010 and the further order dated 19th November, 2010 passed in Civil Application no.2717 of 2010.

3. On scrutiny of the Civil Application and annexures, it appears that after the admission of the petition on 1st April, 2010 the first application made by the petitioner for being employed with the sugar factory was made on 28th October, 2016. Thereafter for one year the petitioner made no application seeking employment with sugar factory.
4. Today Mr. Topkar states that the crushing season comes to an end tomorrow 20th March, 2018 and there is no occasion now to consider him in the factory. It is further stated that the petitioner is likely to be superannuated before the commencement of the next crushing season. Mr. Savagave has confirmed this fact.
5. Since the petition is already been expedited, it will be appropriate that the petition be listed for hearing. Accordingly, list the petition for final hearing on 18th April, 2018. Accordingly, Civil application is disposed of in the above terms.

(A.K. MENON,J.)