

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
**WRIT PETITION NO.12039 OF 2017**

Akhil Bharatiya Mathadi, Transport  
and General Kamgar Union & anr. .. Petitioners

Vs.

Goods Transport Labour Board for  
Greater Mumbai & ors. .. Respondents

**WITH**  
**WRIT PETITION NO. 6108 OF 2017**

Akhil Bharatiya Mathadi, Transport  
and General Kamgar Union & anr. .. Petitioners

Vs.

Goods Transport Labour Board for  
Greater Mumbai & ors. .. Respondents

.....

Shri A.K. Jalisatgi I/by Shri R. Mishra for the Petitioners in  
WP/6108/17 and I/b Shri A.B. Desai for the Petitioners in  
WP/12039/17.

Shri Rahul D. Oak a/w. Shri S.S. Shetye for Respondent No.1 in  
both Writ Petitions.

Shri M.S. Topkar for Respondent No.3 in both Writ Petitions.

Mrs. M.P. Thakur, AGP for State / Respondent No.2 in both Writ  
Petitions.

.....

**CORAM : R.M. SAVANT, &**  
**M.S. KARNIK, JJ.**

**DATE : 1<sup>st</sup> OCTOBER, 2018**

**P.C. :**

The above Writ Petitions have been filed challenging  
the order dated 21<sup>st</sup> August, 2017 passed by the Respondent No.

1- Board by which order 100% of the work in the establishment of the Respondent No.4 at Palghar is allotted to the Toli of which the Respondent No. 3 is the Mukadam. (subject matter of the Writ Petition No. 12039/2017) and the order dated 18<sup>th</sup> April, 2017 passed by the Respondent No.1 – Board by which order the work in the establishment of the Respondent No.4 has been divided 50% - 50% between the Toli No. 2142 of which Petitioner Nos.2 is the Mukadam and Toli No. 2651 of which the Respondent No.3 is the Mukadam (subject matter of Writ Petition No. 6108 of 2017).

2. The Petitioners- Union and the Respondent No. 3 are agreeable to the impugned order dated 21<sup>st</sup> August, 2017 being set aside and the order dated 18<sup>th</sup> April, 2017 being in force. The Petitioner No.2 Kailash R. Gupta, who is personally present in the Court and is identified by the Learned Counsel Mr. Jalisatgi. He is also identified by his ID issued by the Respondent No.1. The said Id card bears registration No. 14226 and Toli No. 2142. He confirms the statement made by the Learned Counsel Shri

Jalisatgi as regards setting aside the order dated 21<sup>st</sup> August, 2017 and order dated 18<sup>th</sup> April, 2017 being continued and in operation.

3. The Respondent No.3 Ramnath Gupta is also personally present in the Court and identified by the Learned Counsel Mr. M.S. Topkar. He is also identified by his PAN card bearing No.AOJPG3639J. He also accepts the statement made by the Mr. M.S. Topkar as regards setting aside the order dated 21<sup>st</sup> August, 2017 and order dated 18<sup>th</sup> April, 2017 being continued and in operation.

4. Resultantly, the order dated 21<sup>st</sup> August, 2017 would stand quashed and set aside by the consent of the parties and the order dated 18<sup>th</sup> April, 2017 would continue to operate with consent of the parties.

5. In case there are any practical difficulties, the parties are free to approach the Respondent No. 1- Board and it is expected that the Respondent No.1 – Board would remove

glitches, if any.

6. The above Petitions are accordingly disposed of.

**[M.S. KARNIK, J]**

**[R.M. SAVANT, J]**