

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

WRIT PETITION NO. 3868 OF 2003

THE CHIEF OFFICER, NAGAR PARISHAD, DONDAICHA

VERSUS

RAVINDRA BALIRAM PATIL

...

Advocate for the Respondent - sole : Shri R. S. Devdhe h/f.

Shri S. P. Brahme

...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th JULY, 2019.

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PER COURT :

1. On 06/07/2019, I had passed the following order :-

"1. The learned Advocate Shri R. S. Devdhe holding for Shri S. P. Brahme on behalf of the Respondent submits that this petition has been rendered infructuous and can be disposed off.

2. None appears for the petitioner.

3. List this petition on 18/07/2019 for "passing orders" on dismissal."

2. None appears for the petitioner.

3. This Court had refused interim relief to the petitioner on 30/09/2003 for the reason that the respondent was already reinstated and he was continued in employment.

4. I find from the record that the Labour Court had allowed Complaint (ULP) No. 75/2002 by judgment dated 01/01/2003. The petitioner had approached this Court for challenging an interlocutory order dated 27/06/2003 passed by the Industrial Court refusing interim relief to the petitioner in Revision (ULP) No. 20/2003.

5. The learned Advocate for the respondent employee submits, on instructions from the Trial Court lawyer, that the respondent employee is still in service.

6. Since an interlocutory order has been challenged and the revision proceedings were pending when this Court admitted this petition, I do not find that any issue survives in this petition. The same is, therefore, dismissed. Rule is discharged.

7. The Industrial Court is at liberty to decide Revision (ULP) No. 20/2003, within six months, if not yet decided. The parties would, therefore, be subject to the result of the said revision proceedings or further litigation, if any.

(RAVINDRA V. GHUGE, J.)

shp/-