

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

917 CIVIL APPLICATION NO.7342 OF 2019
IN WP/805/2018

WITH

CA/7343/2019 IN WP/934/2018

WITH

CA/7344/2019 IN WP/936/2018

WITH

CA/7345/2019 IN WP/806/2018

WITH

CA/7347/2019 IN WP/944/2018

INDUBAI SUKHLAL CHAUVAN

VERSUS

THE MUNICIPAL CORPORATION DHULE THROUGH ITS
COMMISSIONER

...

Advocate for Applicant : Mr. Choudhari N. L.

Adv A V Hon For Petitioner in WPs.

CORAM : P.R. BORA, J.

DATED : 5th July, 2019.

PER COURT:-

1. Heard Shri Choudhari, learned counsel for applicants and Shri Hon, learned counsel for the Municipal Corporation.

2. Learned Counsel Shri Choudhari tendered across the Bar a copy of order dated 28th May, 2019 passed by the Commissioner, Dhule Municipal Corporation. The same is taken on record. The order pertains to payment of arrears of 5th and 6th Pay Commission recommendations even to the employees, who are granted permanency benefits

(2)

under the orders of the Industrial Court, High Court and the Hon'ble Apex Court. The learned counsel, in the circumstances, has prayed for allowing the applications.

3. Shri Hon, learned counsel appearing for the Corporation opposed the applications, stating that the case of the present applicants cannot be equated with the cases of other employees, since the appointments of the present applicants were not made by following due process of law. The learned counsel, in the circumstances, prayed for rejecting the applications.

4. After having considered the submissions mad as above, I deem it appropriate to pass following order, -

ORDER

i. The applicants in the respective applications are permitted to withdraw 50% of the deposited amount, on their submitting undertaking to the satisfaction of Registrar of this Court. The balance amount be invested in Fixed

(3)

Deposit Receipt (FDR) in any Nationalized Bank for the period till disposal of the writ petitions.

ii. The civil applications stand disposed of.

iii. Hearing of the petitions is expedited.

(P.R. BORA)
JUDGE

BDV