

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

CONTEMPT PETITION {ST} NO. 12705 OF 2019

Mugdha Ravindra Pol and Ors. ...Petitioners

Vs.

Union of India and Ors. ...Respondents

**WITH
CONTEMPT PETITION {ST} NO. 12708 OF 2019**

Sonali Praful Dekate and Ors. ...Petitioners

Vs.

Union of India and Ors. ...Respondents

**WITH
CIVIL WRIT PETITION {ST} NO. 7221 OF 2019**

Sonali Praful Dekate and Ors. ...Petitioners

Vs.

Union of India and Ors. ...Respondents

**WITH
CIVIL WRIT PETITION {ST} NO. 8897 OF 2019**

Surekha Babu Nakman & Ors. ...Petitioners

Vs.

Union of India and Ors. ...Respondents

Mr. Suhas Deokar I/by. Chetan Alai for Petitioner.

Ms. Anamika Malhotra a/w Ashok Shetty Respondents.

**CORAM : SHRI. RANJIT MORE &
SMT. BHARATI H. DANGRE, JJ.**

DATE : 28th JUNE 2019

P.C.:

1. The aforesaid Writ Petitions as well as the Contempt Petitions can be conveniently disposed of by the present order.

The two Contempt Petitions are filed alleging disobedience of the order passed by this Court on 04th April 2019, wherein it was directed that the petitioners should not be replaced by the another similar set of contractual employees, This order was passed in the backdrop of the fact that the petitioners came to be appointed on contract basis as examiners of Trademark on a consolidated remuneration of Rs. 45,000/- per month to the office of Trade Mark Registry for the period of one year and they were subsequently continued on year to year basis. The petitioners approached this Court with an apprehension that they are likely to be replaced with another set of contractual employees and in light of the decision of the Apex Court in terms of Hargurpratap Singh Vs. State of Punjab, we passed an interim order directing that the petitioners shall not be replaced by another set of contractual employees.

2. Since the order was not abided, the two Contempt Petitions have been filed by two respective petitioners. Today when the petitions are

listed before us, the learned counsel for the Respondent has placed on record a communication address to him by Joint Registrar of Trademark and GI dated 26.06.2019. A statement is made in the said communication that the department had taken a decision to engage 75 examiners on contract basis on account of the fact that the regular posts required to be filled in through UPSC was consuming some time and the process was in progress. Since the petitioners were appointed on contract basis, their services came to be terminated at the end of period of contract. However, the statement is made in the said communication that in light of interim order passed by this Court and in order to maintain the public delivery system the Respondent is ready to engage 25 examiners who were appointed on contract basis to work till 31.03.2020 or till the appointment of the regular examiner through UPSC whichever is earlier. The said communication dated 26.06.2019 addressed to the learned counsel is taken on record. The statement made in the said communication is accepted as an undertaking to this Court and in light of the said statement we dispose of the Contempt Petitions.

3. The learned counsel for the petitioners submits that their services were put to an end in spite of the interim order passed by this Court. We have disposed of the Contempt Petitions on the basis of the statement referred above. The learned counsel for the Respondent makes a statement that within a period of seven days, the petitioners will be issued

with an order of appointment and they would be permitted to resume their work. Statement accepted.

4. As far as the Writ petitions are concerned, in light of the said statement contained in the said communication, the grievance raised in the Writ Petitions is redressed and no longer survive. Hence, Writ Petitions are also disposed of.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J)