

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
LETTERS PATENT APPEAL NO.182 of 2009
IN
WRIT PETITION NO. 4951 OF 2008

Sitara Shipping Limited	.. Appellant
Versus	
Sukhdev Singh Kaushal & Anr	.. Respondents

...

None for the appellant.

Mr. Subhash Bhalwal with Sanket Tanejaa I/b M/s.Vyas & Bhalwal for the respondents.

CORAM: PRADEEP NANDRAJOG, C.J.
AND BHARATI DANGRE, J.

DATED : 5th DECEMBER, 2019

P.C:-

1 We need not decide whether vide impugned order dated 20th July 2009 the learned Single Judge after issuing Rule in the Writ Petition filed by the appellant correctly exercised discretion directing appellant to deposit Rs.4.62 lakhs with the Registrar Judicial.

2 Challenge in the Writ Petition was to an order dated 26th June 2007 passed by the learned Metropolitan Magistrate

Tilak

computing wages payable by the appellant to the respondent in sum of Rs.4.36 Lakhs. Reason why we need not decide whether learned Single Judge correctly exercised the jurisdiction while passing the interim order, for the reason on 4th November 2009 while admitting the Appeal it was directed that the appellant will deposit 50% of the amount as per the impugned order within two weeks. If so done, operation of the impugned order was stayed.

3 The Respondent filed a Civil Application No.70 of 2010 in the Appeal. On 12th April 2010, an order was passed that the amount deposited by the appellant can be withdrawn by the workmen after furnishing security to the satisfaction of the Registrar Judicial.

4 We note that the respondent has withdrawn the amount on furnishing the bank guarantee.

5 The Appeal is accordingly disposed of declaring that the interim order passed in the Appeal shall stand transposed as the interim order in the Writ Petition.

SMT. BHARATI DANGRE, J

CHIEF JUSTICE