

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

WRIT PETITION NO.12708 OF 2016

Municipal Corporation of Greater
Mumbai and others ... Petitioners

Versus

Mumbai Mahanagarpalika Karyalayeen
Karmachari Sanghatana ... Respondent

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Shri S. S. Pakale a/w. Shri Vinod Mahadik for the petitioner.
Mrs. Vidula S. Patil for the respondent.

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CORAM : M. S. KARNIK, J.

DATE : 18th MARCH, 2019.

P. C.:

1. Rule. Rule made returnable forthwith. Heard finally with consent of the learned Counsel for the parties.

2. The order impugned is an interim order passed below Exhibit U-2 in Complaint (ULP) No.18 of 2016 filed by the respondent before the Industrial Court, Mumbai. By allowing application Exhibit U-2 the Industrial Court passed the following order :-

“1. The Application Exh. U-2 is allowed.

2. The respondent corporation is directed to hold the examination of 26 Security Guards enlisted in Annexure 'A' as per the eligibility criteria laid down in Circular No.SF/55/Gop./CSO dated 8.12.2003 for their selection to the post of Assistant Security Officer.”

2. This court by an order dated 3rd March, 2017 recorded the statement of the respondent that till next date they would not press for execution of impugned order dated 9th March, 2016 passed by Industrial Court, Mumbai below Exhibit U-2 in Complaint (ULP) No.18 of 2016. The said statement is continued from time to time and even by an order dated 12th February, 2019 this court had ordered ad-interim order to continue till the next date.

3. Today, learned counsel for the respondent stated that it is now for the petitioners to lead their evidence before the Industrial Court as the Respondent have led their evidence. In this view of the matter, instead of keeping this petition pending, the Industrial Court, Mumbai is directed to dispose of the Complaint (ULP) No.18 of 2016 as expeditiously as possible and in any case preferably by the end of July 2019. The ad-interim protection granted by this court to continue till the disposal of the complaint.

4. Writ Petition is disposed of. Rule is partly made absolute with no order as to costs.

(M. S. KARNIK, J.)