

BDP-SPS

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

WRIT PETITION NO.190 OF 2019

Union of India & Others

.... Petitioners

Versus

Mrs. Sunita Alurkar nee Sunita
Kulkarni and Others

....Respondents.

Mr. Rui Rodrigues I/b Mr. A.R. Gole, Advocates for the Petitioner
Mr. A.S. Rao, Advocate for Respondent Nos. 1 to 4.

**CORAM: B. R. GAVAI &
N. J. JAMADAR, JJ.**

DATE: 12th FEBRUARY, 2019

P.C.:-

1] Petition challenges the judgment and order passed by the learned Administrative Tribunal dated 8/2/2018.

2] Perusal of the order passed by the learned Tribunal would reveal that the learned Tribunal has passed an order on the basis of the view taken by the coordinate Bench of the learned Tribunal at Chandigarh. The learned Tribunal has found that the said view is taken by the coordinate Bench of the learned Tribunal at Chandigarh

after taking into consideration the relevant legal position. The learned Tribunal has further taken notice of the fact that the judgment and order passed by the learned Bench at Chandigarh was subject matter of challenge by way of Writ Petition before the High Court of Punjab and Haryana. As such, learned Tribunal directed that the decision would be subject to the final outcome of the pending Writ Petition before the Punjab and Haryana High Court.

3] In that view of the matter, we do not find that any case is made out for interference atleast at the behest of the present Petitioner. We fail to understand as to why the Union has chosen to challenge the order passed by the learned Tribunal and jumped into dispute between the two sets of employees.

4] Petition is accordingly disposed of.

(N. J. JAMADAR, J.)

(B. R. GAVAI, J.)