

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

WRIT PETITION NO.13392 of 2018

Bansilal Ramnath Agarwal Charitable Trust and another	... Petitioners
Versus	
Kalyana Sundaram and others	... Respondents

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Mr. T.D. Deshmukh for the petitioner.
Mr. Sugandh B. Deshmukh for respondent No.1.
Ms. M.S. Bane, A.G.P. respondent No.4.

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CORAM : M. S. KARNIK, J.

DATE : 9th APRIL, 2019.

P. C.:

1. Heard learned counsel for the petitioner.
2. Learned counsel for the respondent No.1, who is the contesting respondent, on instructions of respondent No.1 present in the court, submits that by consent the impugned order can be set aside by keeping all contentions open to be decided on its own merits by the Grievance Committee including the question of limitation afresh.
3. It was one of the contention of the learned counsel for the petitioner that the matter was settled between the parties and respondent No.1 already has received all the

dues. He, therefore, could not have claimed the arrears of sixth pay commission. Learned counsel for the petitioner would submit that in any case once the claim application for the present was withdrawn by the respondent No.1, the pending proceedings before the Grievance Committee could not have proceeded. By consent, the parties are agreeable for setting aside the order. These issues can be left to be agitated before the Grievance Committee which shall be dealt with on its own merits and in accordance with law.

4. The impugned order is consequently set aside.
5. Parties to appear before the Grievance Committee on 22.04.2019. The Grievance Committee may fix the further schedule of hearing. The Grievance Committee is requested to decide the complaint as expeditiously as possible and preferably within a period of three months from 22.04.2019.
6. All contentions are kept open.
7. The complaint to be decided on its own merits.
8. Needless to mention that the Grievance Committee is expected to give brief reasons in support of its order.

9. The Writ Petition is disposed of.

(**M. S. KARNIK, J.**)