

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

**CIVIL APPLICATION (L) NO.28826 OF 2018
IN
WRIT PETITION NO.10243 OF 2011**

Ghansham Dagadu Jagtap & Ors. .. Applicants.
Vs.
The Executive Engineer, Pune & Anr. .. Respondents.

Mr.Manoj A. Patil for the Applicants/Original Respondents.
Mrs.M.S.Bane AGP for the original petitioners.
Respondent Nos.1 to 3 present in Court.

CORAM : A.K. MENON, J.

DATED : 6TH MARCH, 2019

P.C. :

1. By this civil application, the applicants – original respondents seek an order recording a concession on their part inasmuch as they are now willing to continue to be engaged by the petitioners in accordance with the Office orders No.987, 988 and 990 dated 15th November, 2003 whereby the said respondents will now be continued as drivers.
2. It is stated that the aforesaid office orders dated 15th November, 2003 were issued pursuant to the Government Resolution dated 29th September, 2003 and three respondents were to be appointed as jeep driver, road roller driver and roller driver. Accordingly, Respondent

no.1 has agreed to continue as road roller driver, Respondent no.2 has now agreed to continue as a jeep driver and respondent no.3 has agreed to continue as roller driver. They are agreeable to continue in employment on the terms and conditions set out in the aforesaid three office orders.

3. An affidavit dated 18th January, 2019 of Shri Anil Govind Shinde, Deputy Engineer, PWD, Sub-Division, Pune has been filed in which the deponent states that they have received the applications to the above effect. All three respondents are signatories to civil application and have verified the civil application and are present in court. In view of above and the statements in the affidavit in reply Shri A.G. Shinde it is appropriate that the petition is disposed after recording the concession so made by the respondents.
4. Learned AGP states that three respondents will be granted benefit of Government Resolution with effect from 29th September, 2003. The statements on behalf of the petitioners and on behalf of the respondents are accepted.
5. Petition disposed in aforesaid terms.
6. In view of disposal of petition, civil application is also allowed to that extent. Parties to act on authenticated copy of this order.

(A.K. MENON.J.)