

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

WRIT PETITION NO.13642 OF 2017

Sangli, Miraj – Kupwad City

Municipal Corporation

.. Petitioner.

Vs.

Prakash Sahebrao Gaikwad & Anr.

.. Respondents.

Mr.G.H. Keluskar for the Petitioner.

Mr.Kuldeep Nikam for the Respondent No.1.

Mrs.Vaishali Nimbalkar AGP for the Respondent No.2.

CORAM : A.K. MENON, J.

DATED : 6TH MARCH, 2019

P.C. :

1. The challenge in this petition is to the order dated 13th July, 2016 passed by the Industrial Court, Sangli in Complaint (ULP) No.137 of 2014 directing the respondent therein who is petitioner before this Court to implement resolution No.21 Subject No.6 of the Standing Committee dated 26th November, 2013, a copy of which appears at Exhibit-B to this petition. It is submitted that the State Government has declined to give sanction to the resolution of the Standing Committee and in this behalf learned AGP has produced on record the decision of the Government in this behalf.

2. Accordingly, the resolution no longer stands for want of sanction of the State Government. In the circumstances the impugned order cannot be

enforced and is liable to be set aside. In the circumstances, the impugned order is liable to be set aside. I, therefore, pass the following order :

- (i) The impugned order dated 13th July, 2016 is hereby set aside.
- (ii) It is open to respondent no.1 to take appropriate steps as may be permissible in law.
- (iii) Petition is disposed in aforesaid terms.

(A.K. MENON,J.)