

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.2668 OF 2020

AMOLIK BALWANT BORGE
VERSUS
TILAKNAGAR INDUSTRIES LTD THROUGH ITS MANAGER PERSONAL
AND ADMINISTRATION.

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Advocate for the Petitioner : Shri Kadu Shivraj B.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 28th February, 2020

Per Court:

1 The petitioner/ Judgment Debtor is aggrieved by the order dated 20.08.2019 by which, the Executing Court has rejected the application exhibit 23 keeping in view the series of applications filed earlier seeking adjournments. He is also aggrieved by the order dated 06.11.2019 by which, his application exhibit 24 has also been rejected.

2 The petitioner is the original defendant in RCS No.89/2006 filed by the respondent/ Management by which, it had sought possession of the room occupied by the respondent as a residential accommodation despite severing of the employer-employee relationship. The suit was decreed on 31.08.2013. Regular Civil Appeal No.59/2013 was filed and that has also been dismissed by the judgment dated 16.01.2018.

3 Exhibit 23 was rejected as the Judgment Debtor claimed that the Decree Holder is not giving the documents. No notice for production of documents or list of documents is before the Court. Exhibit 24 is filed on 13.09.2019 for again seeking adjournment. By the impugned order dated 06.11.2019, the Executing Court has noted that the Judgment Debtor is filing various applications with an endeavour to delay the execution proceedings and has not even filed any say in the matter.

4 This Court has dealt with several cases of identical nature in between identical former employees of the respondent (Tilaknagar Industries Limited). This Court has not granted any relief to such employees, who are squatting on the property of the factory even after severing of the employer-employee relationship. They are not even paying the rent.

5 In view of the above, I do not find that this is a fit case for this Court to exercise its supervisory jurisdiction under Article 227 of the Constitution of India. Considering the above, this Writ Petition, being devoid of merit is, therefore, dismissed.