

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5217 OF 2021

The Mahabaleshwar Municipal Council through
its President & Ors.

.. Petitioners

Versus

The State of Maharashtra & Ors.

.. Respondents

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- Mr. Vishal Kanade a/w Mr. Ketan Joshi for the Petitioners
 - Mrs. S.D. Vyas, 'B' Counsel for the State
 - Mr. Ranjeet V. Sangle a/w Mr. Saurabh Patil, Mr. Chaitanya R. Kulkarni, Mr. Ameet Shinde, Mr. Venkatesh Shewale, Ms. Renuka and Ms. Shubhangi Sangle for Respondent No. 3
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CORAM : S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.

DATE : SEPTEMBER 23, 2021.

P.C.:

Learned Advocate appearing for the Petitioners seeks to amend the cause title of the above Writ Petition to the extent of stating that the Writ Petition is filed by Mrs. Swapnali K. Shinde along with Petitioner Nos.2, 3 and 4 in her personal capacity and not as President of the Mahabaleshwar Municipal Council and to also fill in, the blanks left out in the verification clause. Amendments as sought are allowed. The same shall be carried out forthwith. Re-verification is dispensed with.

2. Learned Advocate appearing for the Petitioners now seeks to

withdraw the above Writ Petition with liberty to file an Appeal under Section 208 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 before the Principal Secretary, Urban Development Department, State of Maharashtra.

3. Learned Advocate appearing for the Respondent No. 3, on instructions of the Chief Officer of the Mahabaleshwar Municipal Council states that the Council has paid salaries and pensionary dues to the concerned staff upto August, 2021 and shall continue to pay the same regularly every month and further that the retirement allowance in the sum of Rs. 1.18 crores is to be paid to the retired staff members, and that the same will be paid immediately upon improvement in the financial condition of the Council. The statements are accepted.

4. All contentions of the parties are kept open.

5. In the event of an Appeal being filed by the Petitioners before the Principal Secretary, Urban Development Department, State of Maharashtra, the same shall be decided within a period of four weeks from the date of this order.

6. The Writ Petition is disposed of as withdrawn with liberty as sought.

[MILIND N. JADHAV, J.]

[S. J. KATHAWALLA, J.]