

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2905 OF 2021

IN

WRIT PETITION NO. 4066 OF 2019

Syndicate Bank ... **Applicant**

In the Matter Between :

Syndicate Bank ... **Petitioner**

V/s.

Anil Tammanna Halwai & Anr. ... **Respondents**

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WITH

WRIT PETITION NO. 4066 OF 2019

Syndicate Bank ... **Petitioner**

V/s.

Anil Tammanna Halwai & Anr. ... **Respondents**

Mr. Piyush Shah a/w. Mr. Jay Vora, Advocate for the Applicant/Petitioner.

Mr. Padmanabh D. Pise, Advocate for the Respondent No.1.

CORAM : G. S. KULKARNI, J.

DATE : OCTOBER 28, 2021

PC :

1 By this application the following reliefs are prayed :

“(a) That in view of the Order dated 3rd April 2019 of this Hon’ble High Court, the proceedings of Misc Criminal (ULP) NO 9 of 2019 before Labour Court at Sangli, on same subject matter, be stayed;

(b) That, pending the hearing and final disposal of the above Petition the respondents and Labour Court at Sangli be restrained from initiating any criminal process in said Misc Criminal (ULP) NO 9 of 2019 till further Orders.

- (c) Ad-interim relief in terms of prayers (a) and (b) above;
- (d) Costs of the Intervention Notice;
- (e) For such orders, directions and relief as the nature and circumstances of the case may require or as this Hon'ble Court may deem fit and proper."

2 Mr. Shah, learned Counsel for the applicant has drawn my attention to an order dated 11th January 2018 passed by the learned Member, Industrial Court at Sangli which is subject matter of the challenge in the present writ petition. By an order dated 3rd April 2019 passed by this Court (M.S.Karnik, J) such order passed by the Industrial Court was stayed. It is his contention that in the meantime, as there is a stay operating, the respondents ought not to proceed with the Miscellaneous Complaint ULP No.9 and 2019 filed before the Labour Court at Sangli. Learned Counsel for the respondents states that the respondent would not pursue the said proceedings till appropriate interim or final orders are passed on this petition. The statement as made on behalf of the respondents is accepted.

3 The application is accordingly disposed of.

4 List the petition for hearing on "Admission" on **24th November 2021**.

(G. S. KULKARNI, J.)