

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.662 OF 2022

Kalyan Dombivli Municipal Corporation.. Petitioner
Versus
Shailesh Sonu Dhalwale .. Respondent

WITH
WRIT PETITION NO.663 OF 2022

Kalyan Dombivli Municipal Corporation.. Petitioner
Versus
Sanjay Pandurang Abhale .. Respondent

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Mr.A.S.Rao for the Petitioners in both the Writ Petitions

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CORAM: RAVINDRA V. GHUGE, J.
DATED : 21st JANUARY, 2022

P.C:-

1. In both these petitions, the petitioner/Corporation seeks to challenge the interlocutory orders dated 07/08/2020 vide which applications Exh.U-2 in Complaint (ULP) Nos.179 and 180 of 2019, have been allowed and the Corporation has been directed not to revert the complainants from the post of Junior Engineer (Electrical) to the post of Supervisor(Telephone).

2. The grievance of the Corporation is that these two complainants had misled the Department Promotion

Committee (DPC) and had secured promotion to the post of Junior Engineer (Electrical). Though this may have happened in 2015, after this fact was noticed, the Corporation was on the verge of initiating steps. These complainants approached the Industrial Court and have been protected.

3. It is apparent that the petitioner has assailed the interlocutory orders which protect the complainants from reversion. They have been working on the positions at issue, after they were cleared by the DPC. The impugned orders would, therefore, be considered as equitable orders.

4. The learned Advocate for the Corporation submits that if this Court is not inclined to interfere with the impugned orders, the Industrial Court may be requested to decide the complaints expeditiously.

5. In view of the above, both these petitions are disposed off.

6. The Industrial Court at Thane would endeavor to decide Complaint (ULP) Nos.179 and 180 of 2019, within a period of one year, i.e., on or before 31/01/2023. The litigating parties would co-operate.

(RAVINDRA V. GHUGE, J.)