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

WRIT PETITION NO. 12676 OF 2015

The Commissioner
Municipal Corporation of Gr. Mumbai
& Ors. .. Petitioners

Vs.

Smt. Jyoti Jahesh Tayade & Ors. .. Respondents

**WITH
WRIT PETITION NO. 4209 OF 2017**

Smt. Jyoti Jayesh Tayade .. Petitioner

Vs.

The Commissioner,
Municipal Corporation of Greater
Mumbai & Ors. .. Respondents

Mr. Santosh Parad for petitioners in WP/12676/2015 and for
respondent no.1 in WP/4209/2017.

Mr. M. M. Pable, AGP for respondent no.6/State in
WP/12676/2015 and for respondent no.8 in WP/4209/2017.

**CORAM: DIPANKAR DATTA, CJ &
M. G. SEWLIKAR, J.**

DATE: APRIL 12, 2022

PC:

1. These two writ petitions are directed against the order dated 4th September 2015 passed by the Competent Judicial Officer-Cum-Commissioner, Tribunal of Handicapped Welfare

(Handicapped Welfare Commissionerate). By the impugned order, the Commissioner has partially allowed the complaint of Smt. Jyoti Jayesh Tayade.

2. It is not in dispute that while the Municipal Corporation of Greater Mumbai has questioned the order dated 4th September 2015 directing reinstatement of Smt. Tayade by instituting Writ Petition No. 12676 of 2015, Smt. Tayade by instituting Writ Petition No. 4209 of 2017 has challenged the self-same order insofar as it deprived her of back wages from 2013.

3. None appears for Smt. Tayade at the time when the writ petitions are called out for consideration.

4. Mr. Parad, learned advocate appearing for the Municipal Corporation, submits that Smt. Tayade has been reinstated on 17th March 2018.

5. In such view of the matter, we are of the opinion that nothing survives for decision in Writ Petition No. 12676 of 2015 and the same stands disposed of. No costs.

6. The Municipal Corporation shall, however, be at liberty to oppose Writ Petition No. 4209 of 2017 of Smt. Tayade on all points that are available to it in law.

7. Since Smt. Tayade is neither present today nor is she represented by any advocate, we direct removal of Writ Petition No. 4209 of 2017 from the board.

(M. G. SEWLIKAR, J.)

(CHIEF JUSTICE)