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

**INTERIM APPLICATION NO. 13743 OF 2023
IN
WRIT PETITION NO. 1561 OF 2011**

Baban Sheshrao Gavali

Applicant (Orig.
.. Petitioner)

Versus

Paranjape Metal Shapers Lvt. Ltd.

.. Respondent

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• Mr. Manoj B. Bagal, Advocate for Applicant / Orig. Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 07, 2023.

P.C.:

1. Heard Mr. Bagal, learned Advocate for Applicant / Orig. Petitioner.

2. Interim Application No.13743 of 2023 has been filed by the Applicant for seeking restoration of dismissed Civil Writ Petition No.1561 of 2011. By order dated 13.04.2023, the Writ Petition was dismissed for non-prosecution.

3. It is seen that Writ Petition No.1561 of 2011 is filed by the Petitioner – workman challenging the impugned award which grants reinstatement alongwith 50% backwages and continuity of service. Companion Writ Petition being Writ Petition No.8123 of 2010 has been filed by the employer to challenge the said award which is also pending in this Court.

4. On 28.02.2011, both Writ Petitions were heard together and certain directions were passed. Mr. Bagal would submit that the directions contained in the order dated 28.02.2011 have not been complied with till date.

5. Be that as it may, for the reasons stated in the Interim Application, Writ Petition No.1561 of 2011 needs to be restored back to file and record of the Court so that it can be heard alongwith Writ Petition No.8123 of 2010 filed by the employer – company.

6. In view of the above, Interim Application No.13743 of 2023 stands allowed in terms of prayer clauses 'A' and 'B'. Writ Petition No.1561 of 2011 stands restored to the file and record of the Court.

7. With the above direction, Interim Application No.13743 of 2023 is disposed.

8. Place the Writ Petition on Board on **02nd January, 2024.**

9. On the next adjourned date, Civil Application filed by the workman seeking withdrawal of 50% amount deposited in this Court shall be taken up for hearing. Copy of this order shall be served on the employer – company by the learned Advocate for Applicant / Petitioner.

[MILIND N. JADHAV, J.]