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

WRIT PETITION NO. 10646 OF 2023

Krupa Services Private Ltd. & Ors. .. Petitioners
Versus
Labour Commissioner & Ors. .. Respondents

**WITH
WRIT PETITION NO. 9479 OF 2023**

Nashik Zilla Swayamrojgar
Berojgar Seva Sahakari Sanstha
Mahasang Maryadit, Nashik & Anr. .. Petitioners

Versus

The State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 9483 OF 2023**

Rayat Swayamrojgar Seva Sahakari
Sanstha Ltd. & Ors. .. Petitioners

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. A. A. Kumbhakoni, Senior Advocate i/by Mr. Gaurav Sharma for petitioners in WP/10646/2023.

Mr. A. A. Kumbhakoni, Senior Advocate i/by Mr. Sanjay P. Shinde a/w Mr. Prathamesh T. Bhanuwanshe for petitioners in WP/9479/2023 and WP/9483/2023.

Mr. P. P. Kakade, Government Pleader a/w Mr. M. M. Pabale, AGP for State.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 10th NOVEMBER, 2023

P.C.:

- 1.** Heard Mr. Kumbhakoni, learned senior advocate representing the petitioners and Mr. Kakade, learned Government Pleader representing the State-respondents.
- 2.** By means of these petitions, the petitioners, apart from challenging the Government Resolution, dated 6th September, 2023, have also challenged the empanelment of the private respondents by the State Government for supplying the manpower to different departments.
- 3.** It has been brought to our notice that in supersession of the earlier Government Resolution, dated 6th September, 2023, a fresh Government Resolution on the subject has been notified by the State Government on 31st October, 2023. The learned senior advocate representing the petitioners tenders the said Government Resolution, dated 31st October, 2023, which is taken on record.
- 4.** By the Government Resolution, dated 31st October, 2023, the earlier Government Resolution dated 6th September, 2023, which is under challenge in these petitions, has been rescinded. Thus, challenge to the Government Resolution, dated 6th September, 2023 in these writ petitions does not survive and the petitions have been rendered infructuous.
- 5.** So far as the selection of private respondents as provider of manpower to different departments is concerned, it has been clarified by the learned Government Pleader that in terms of the Government Resolution, dated 31st October, 2023, no fresh work shall be given to those who were empaneled by means of the process impugned in these

petitions. He further clarifies that the work being performed currently by the private respondents pursuant to their earlier selection shall come to an end in July, 2024, i.e., within 9 (nine) months of the issuance of the Government Resolution dated 31st October, 2023.

6. Learned senior advocate for the petitioners states that in view of the aforesaid clarifications, he does not want to press the prayer made in the writ petitions in relation to challenging the process by which the private respondents were empaneled. He, however, states that liberty may be granted to the petitioners to challenge the Government Resolution, dated 31st October, 2023 in case they are so advised.

7. In view of the aforesaid, writ petitions are disposed of in terms of the statement made at bar by the learned Government Pleader, with liberty as prayed for by the petitioners.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

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signed by
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DASHARATH
PANDIT
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