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

**WRIT PETITION NO.5860 OF 2012**

The Commissioner  
Municipal Corporation of  
Greater Mumbai & Anr.

..Petitioner.

Vs.

Mr.Suryakant Bhagwan Tawade

..Respondent.

Mr. S.S. Pakale i/b Mr. M.R. Bhoir for the Petitioners.  
Ms. Vandita Trivedi for the Respondent.

**CORAM : K.K.TATED, J.  
DATED : 19/08/2013.**

**PC:**

- 1 Heard the learned counsel for the Petitioners and Respondent.
- 2 By this Petition under Articles 226 and 227 of the Constitution of India, Petitioners - original Respondents - Corporation challenge the judgment dated 26th April, 2012 passed by the President, Industrial Court, Mumbai in Complaint (ULP) no.49 of 2008 directing Petitioners to regularize the services of Respondent – original Complainant as a Death Registration Karkoon with effect from 16<sup>th</sup> June, 2000 and extend the monetary and service benefits attached to that post with retrospective effect.



3 The learned counsel for the Petitioners states that during the pendency of the present proceeding the Respondent – original Complainant retired on 1st July, 2010.

4 It is to be noted that in the present proceeding, the Respondent - original Complainant placed on record the documentary evidence i.e. Exhibit U-4, U-9 to U-14 showing that from time to time the Petitioners - Corporation have shown that the Respondent – original Complainant has appointed as a Death Registration Karkoon. These documents are not placed on record by the Petitioners - Corporation. Hence, Petitioners – Corporation is directed to place on record the documents as mentioned in Exhibit U-4, Exhibit U-9 to U-14 on or before next date.

5 In the meanwhile, the Petitioner is directed to deposit the entire monetary benefits as granted by the Industrial Court, Mumbai by the impugned order dated 26<sup>th</sup> April, 2012 in this Court within three weeks from today.

6 The learned counsel for both the parties state that Writ Petition no.11345 of 2012 is also connected with the present matter.



Therefore, office is directed to place both the matters on board on next date.

Stand over to 30<sup>th</sup> September, 2013.

(K.K.TATED, J.)

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