

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7684 OF 2009

Municipal Corporation of Greater .Mumbai & Ors.)..Petitioners
Vs
R.V. Kunchikurve & ors.)..Respondents

Mr.S.S.Pakale i/by V. K.Khatu for the petitioners.

Mr.Prakash S.Devdas for the respondent nos.1 & 2.

Coram : R.S.MOHITE,J

Date : 3rd December, 2009.

PC

1 Heard both sides. The finding is that the work was seasonal and Section 25-F is not applicable. There is also no finding as regards present workmen had completed 240 days. The allegation is that the appointment was obtained fraudulently. These matters require re-consideration. Hence, rule. Hearing of the petition is expedited. As regards interim relief, there will be no stay of the entire impugned order. There will be however, a stay of the back wages contemplated by clause-(iii) of the order subject to deposit of the back wages in the court within 12 weeks from today. It is made clear that the respondents will be permitted to work as per practice subject to the final decision of the petition. If the back wages are deposited, the same to be invested in a fixed deposit of a nationalised bank initially for a period of one year and thereafter, fixed deposit should be renewed on a yearly basis.

(R.S.MOHITE,J)

