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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO. 148 OF 2018****IN****WRIT PETITION NO. 235 OF 2016**

Mohan Bagoji Gurkhe

.....Petitioner

V/s.

Bharat Petroleum Corporation Ltd and others

.....Respondents

Ms. Gayatri Singh Senior Counsel i/b Mr. Rakesh Sawant for the petitioner.

Mr. R. S. Pai a/w Mr. Anand Pai a/w Mr. Aditya Bhatt i/b Sanjay Udeshi and Co. for respondent nos. 1 to 6.

**CORAM : R. M. SAVANT &
NITIN W SAMBRE, JJ.**

DATE : 19th OCTOBER, 2018.

P.C.

The learned counsel Mr. Pai appearing for respondent states that no undertaking in terms of Clause 3 of the proforma of the undertaking would be insisted upon and that the petitioner would be paid his legal retiral dues. The statement is accepted. In view of

the said statement of Shri. Pai, grievance of the petitioner in respect of the undertaking does not survive. The calculation of the retiral dues would be without prejudice to the rights and contentions of the parties in that regard.

2 The learned counsel Shri. Pai tenders an affidavit-in-reply insofar as the relief sought vide prayer clause (a) & (b) are concerned, the learned senior counsel Ms. Gayatri Singh appearing for the applicant/original petitioner seeks time to consider the said affidavit-in-reply. Hence, at her request, adjourned to 29/11/2018.

[NITIN W. SAMBRE, J.]

[R. M. SAVANT, J.]