

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 3521 OF 2022

Chhagan Dajiram Kale And Anr. ...Petitioners
Versus
The Municipal Corporation Of Greater Mumbai
And Ors. ...Respondents

Mr. Sangharaj Rupwate i/b Ms Shraddha Vavhal for the Petitioners.

CORAM : NITIN JAMDAR &
M. M. SATHAYE, JJ.

DATED : 18 APRIL 2024

P.C.:

1. On 12 March 2024, the following order was passed:

- “ Heard learned counsel for the parties.
2. According to the learned counsel for the Petitioners, though there is no impediment whatsoever in promoting the Petitioners, no decision has been taken.
3. The learned counsel for the Respondent/Municipal Corporation orally sought to contend that the instructions are that promotion has not been granted because of certain Writ Petitions which are pending before the learned Single Judge, arising from the orders passed by the Industrial Court. Respondent/ Corporation has questioned the initial recruitment of the Petitioners and whether there are any interim orders operating in the Writ Petitions pending before the learned Single Judge, the learned counsel for the Respondent / Corporation is not aware.

4. The learned counsel for the Respondent/ Corporation seeks time to take instructions on the aspect whether the promotion can be granted to the Petitioners on their own merits, subject to the outcome of the petitions which are stated to be pending before the learned Single Judge.

5. Stand over to 18 April 2024 under the caption 'for Directions'."

2. When the matter was called out, learned Advocate who had appeared earlier for the Corporation was not present. Another Advocate mentioned the matter. It was kept back. When again called out both the Advocates are not present.

3. Stand over to **24 April 2024**.

4. We direct the Additional Municipal Commissioner to take necessary decision and inform the Court by the next date.

5. We make it clear that this order was required to be passed because of unexplained absence of learned Counsel for the Corporation in spite of keeping the matter specifically for directions.

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)