

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 7105 - 7106 OF 2013

ANIL MANOHAR SATAV AND ANOTHER **APPELLANTS**

VERSUS

MUNICIPAL CORPORATION OF **RESPONDENTS**
GREATER MUMBAI AND OTHERS

ORDER

1. The appellants have assailed the judgment dated 20th December, 2005, passed in a Writ Petition¹ filed by the respondent no.4 herein, where they were not parties. They have approached this Court on the strength of an order dated 23rd February, 2010, passed on a Review Petition² moved by them before the High Court, seeking review of the judgment and order passed on 20th December, 2005, whereby the High Court had quashed the Circular³ dated 11th August, 1992 issued by the respondent no.1- Municipal Corporation.

2. After considering the submissions made by the appellants in the Review Petition², including the plea taken that they were not parties in the Writ Petition¹ and since there was no stay on the Circular³ impugned in the Writ Petition¹, several employees had

1 Writ Petition No. 1762 of 1994

2 R.P. (Lodging) No. 20 of 2009 in Writ Petition No. 1762 of 1994

3 Bearing No. CE/11144/ER

been promoted and that any interference would cause an anomaly in the seniority list and would upset their seniority, noting that the said Review Petition was dismissed and Writ Petition remained pending in Court from 1994 till it was decided in 2005 and the appellants took no steps to implead themselves therein. It was observed that no case was made out for reviewing the said order.

3. After addressing arguments at some length, Mr. Sanjay Hegde, learned Senior counsel appearing for the appellants, submits on instructions, that the appellants do not wish to press the present appeals. But they be permitted to reserve their right to seek appropriate legal recourse in the event a fresh cause of action arises in the future.

4. Leave, as prayed for, is granted. All questions of law are left open to be adjudicated in an appropriate case.

5. The appeals are dismissed as withdrawn.

.....J.
(HIMA KOHLI)

.....J.
(RAJESH BINDAL)

NEW DELHI;
SEPTEMBER 21, 2023.
PS

ITEM NO.104

COURT NO.14

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO(S). 7105-7106/2013

ANIL MANOHAR SATAV & ANR.

APPELLANT(S)

VERSUS

MUN.CORP.OF GR.MUMBAI & ORS.

RESPONDENT(S)

([HIGHER UP ON THE BOARD]

(IA No. 154849/2023 - CLARIFICATION/DIRECTION, IA No. 155177/2023
- INTERVENTION/IMPLEADMENT)

Date : 21-09-2023 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Appellant(s) Mr. Sanjay Hegde, Sr. Adv.
Mrs. Nilima Sanglikar, Adv.
Ms. Tanya Agarwal, Adv.
Mr. Ankit Tiwari, Adv.
Mr. Tanay Hegde, Adv.
Ms. Stuti Srivastava, Adv.
Mrs. Shubhangi Tuli, AOR

For Respondent(s) Mr. Atmaram Ns Nadkarni, Sr. Adv.
Mr. Ashish Wad, Adv.
Mr. Tamali Wad, Adv.
Mr. Sandip Patil, Adv.
Mr. Ajeyo Sharma, Adv.
Mr. Santosh S Rebello, Adv.
Ms. Kirti Sharma, Adv.
Ms. Deepti Arya, Adv.
Ms. Arzu Paul, Adv.
Ms. Manisha Gupta, Adv.
M/S. J S Wad And Co, AOR

Mr. Vinay Navare, Sr. Adv.
Mr. Pravartak Pathak, Adv.
Ms. Abha R. Sharma, AOR

**Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. T. V. S. Raghavendra Sreyas, AOR
Mr. Dhruv Sharma, Adv.
Mr. Siddharth Vasudev, Adv.
Mr. Raghav Bhatnagar, Adv.**

**UPON hearing the counsel, the Court made the following
O R D E R**

The appeals are dismissed as withdrawn in terms of the signed order,
which is placed on the file.

**(POOJA SHARMA)
COURT MASTER (SH)**

**(NAND KISHOR)
COURT MASTER (NSH)**