

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

Petition(s) for Special Leave to Appeal (Civil) No(s).27298/2008

(From the judgement and order dated 22/09/2008 in  
& WP No. 219/2008 of The HIGH COURT OF BOMBAY)

AN No.110/2008

MUNICIPAL CORPORATION OF GREATER MUMBAI

Petitioner(s)

VERSUS

BEST WORKERS UNION

Respondent(s)

(With prayer for interim relief and office report )

Date: 22/10/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s)

Mr. Shekhar Naphade, Sr. Adv.  
Mr. Praveen Jain, Adv.  
Mr. M.T. Nair, Adv.  
Mr. Mukesh Kumar, Adv.  
Ms. Meenakshi Sood, Adv.  
For M/S. M.V. Kini & Associates, Advs.

For Respondent(s)

Mr. C.U. Singh, Sr. Adv.  
Mr. Shivaji M. Jadhav, Adv.  
Mr. Brik Kishor Sah, Adv.

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

By an interim order dated 22nd September, 2008, passed in Appeal No.110 of 2008, the Division Bench of the Bombay High Court stayed the interim order passed by the learned Single Judge on 22nd January, 2008, whereby the operation of the judgment of the Industrial Court was sought to be stayed.

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By our order passed in the Special Leave Petition on 25th November, 2008, while issuing notice, we had stayed the order of the Appeal Court, as a result whereof the order of the learned Single Judge stood revived.

Today, when the matter is taken up, it is submitted on behalf of the parties that the Special

Leave Petition may be disposed of with a direction upon the learned Single Judge of the Bombay High Court to hear and dispose of the pending writ petition expeditiously.

The suggestion appears to be pragmatic as it will serve the interest of the respondents better to have the writ petition itself disposed of. This

will, however, involve withdrawal of the appeal before the Division Bench of the High Court and the learned counsel for the respondent undertakes on instructions to do so. Accordingly, without going

into the merits of the matter, we dispose of the

Special Leave Petition by setting aside the order of the Division Bench impugned in this Special Leave

Petition in the circumstances indicated hereinabove

and having regard to the directions given by the

learned Single Judge himself in paragraph 8 of his

order, we direct that the writ petition itself be

taken up for final disposal at an early date. The

learned Single Judge of the High Court is requested

to dispose of the writ petition, if possible,

within three months from the date of

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communication of this order. We make it clear

that we have not gone into the merits of the case

and the entire matter is left open for decision of

the learned Single Judge.

Having regard to the above order, learned

counsel for the respondent herein submits that the

appeal before the High Court may also be dismissed

as withdrawn. Ordered accordingly.

(Sheetal Dhingra)  
Court Master

(Neelam Arora)  
Court Master