

(2022) 06 BOM CK 0003

Bombay High Court

Case No: Appeal From Order (ST) No. 12987 Of 2022 In S.C. Suit (St) No. Of 2022, Interim
Application (ST) No. 12988 Of 2022

Pappu Khalifa Singh

APPELLANT

Vs

State Of Maharashtra
& Ors.

RESPONDENT

Date of Decision: June 3, 2022

Hon'ble Judges: Milind N. Jadhav, J

Bench: Single Bench

Advocate: Arunkumar Roy, Sagar A. Shahani

Final Decision: Disposed Of

Judgement

Milind N. Jadhav, J

1. Not on board.

2. Mentioned after board is over.

3. Taken on board.

4. Heard the learned counsel appearing for the Appellant and for Respondent No. 3 for some time. Perused the twin orders dated 30. 05.2022 and 01.06.2022 of the Trial court and the urgent praecipe dated 02.06.2022. The praecipe is taken on record.

5. Perused the contract dated 28.06.2017 between the Appellant and Respondent No. 3 which is at page 44 of the Appeal from Order. Also perused the impugned order dated 30.05.2022 passed by the learned Vacation Judge, C.R. No. 32, City Civil and Sessions Court Greater Bombay.

6. Learned counsel appearing for the Appellant submits that pursuant to engagement of the Appellant's security force / guards by Respondent No. 3

for the initial period of six months as per the contract, the services of the Appellant were thereafter continued by Respondent No. 3 until 31.05.2022.

Prima facie it appears that the Appellant was allowed to continue providing the guards from 2017 onwards and only when the Appellant demanded

increase in the rate from Rs. 17025/- to Rs. 19526/- in 2022 that the Respondent No. 3 terminated the contract of the Appellant.

7. Considering that the impugned orders dated 30.05.2022 and 1. 06.2022 and the fact that the regular court shall commence functioning w.e.f.

06.06.2022 no permission is required to now file the civil suit once the court reopens. Appellant is permitted to file the suit on 06.06.2022 and the same

shall be lodged. In the event if the Appellant moves the court for urgent reliefs for stay of Exhibit 'E' i.e. letter of termination dated 07.05.2022, the

same shall be heard and considered by the trial court within a period of one week from 6. 06.2022. In the meanwhile, until the Trial court decides the

application for interim reliefs, the Respondent No. 3 shall maintain status quo as on date. All contentions of the parties are expressly kept open before

the trial court.

8. In view of the above directions, the Appeal from Order and the Interim Application stand disposed of.