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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4923 OF 2015
IN
WRIT PETITION NO.3684 OF 2005

Rohidas Somaji Patel

APPLICANT

VERSUS

Dhule District Central Co-operative Bank Ltd.,

RESPONDENT

.....

Mr. S. U. Chaudhari, Advocate for the applicant

Mr. Ameya Sabnis h/f Mr. P.S.Shendurnika, adv for respondent.

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 30th APRIL, 2015

ORDER :

1. This application has been moved by original respondent in writ petition No. 3684 of 2005, filed by present respondent against judgment and award of Industrial Court, whereunder present applicant has been directed to be reinstated with thirty percent back wages.

2. The applicant appears to have also moved earlier on civil application bearing No. 3009 of 2007 seeking direction for regular payment of salary as well as deposit of thirty percent

back wages. Under the order dated 29th September, 2009, learned Single Judge had directed the petitioner – bank to deposit thirty percent back wages, as directed under the award. Accordingly, it appears that the amount has been deposited by the petitioner – bank.

3. Present application has been moved for withdrawal of the same, stating that the amount is required as marriage of daughter of the applicant is scheduled on 9th May, 2015 and as such, the applicant is in dire need of the amount deposited by petitioner – bank in this Court.

4. Learned advocate for the respondents, though with some reluctance fairly submits that if at all withdrawal is allowed, the applicant be put to certain conditions.

5. Since the position about need of money for marriage of daughter of the applicant is not seriously disputed, I deem it appropriate to allow the application. The applicant is allowed to withdraw Rs.2,02,559/- deposited by petitioner – Bank along with interest accrued thereon, on the condition that the applicant should file an undertaking to this court that in case decision in the writ petition goes against his interest, he would deposit the amount so withdrawn within a period of six months from the

date of such decision.

6. With aforesaid, the civil application stands disposed of.

[SUNIL P. DESHMUKH, J.]

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