

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.O. NO.1218/2014

IN

M.C.A. ST. NO.19203/2014 (R)

IN

C.A.W. NO.1822/2011(D)

IN

WRIT PETITION NO.1421/2009 (P)

Mahindra & Mahindra Ltd., through its General Manager

..Versus..

Raju Sitaram Khobragade and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.B. Puranik, Adv. for the applicant.

Shri M.V. Mohokar, Adv. for respondent no.1/original respondent no.11.

CORAM : Z.A. HAQ, J.

DATE : 14.1.2015

The applicant is seeking review of the order passed by this Court on 11th July, 2014 by which the applicant/petitioner is directed to deposit the arrears of wages of the non-applicant/respondent no.11. Considering the reasons given by the applicant in the application, specifically the fact that the non-applicant/respondent no.1 is in employment as per the

information received by the applicant which came to the knowledge of the applicant after passing of the impugned order, the delay in filing the review application is condoned. The civil application is allowed accordingly.

M.C.A. STAMP NO.19203/2014.

Taken up for hearing by consent of the learned advocates for the respective parties.

This application is filed by the applicant/petitioner seeking review of the order dated 11th July, 2014 by which the applicant/petitioner is directed to deposit the amount of wages of the original respondent no.11 by 10th of every month in the bank account of the original respondent no.11. The submission on behalf of the petitioner is that the order was passed by this Court under the impression that the non-applicant/respondent no.11 is not gainfully employed, however, after passing of the order the applicant/petitioner got the information that the original respondent no.11 is working as a Pigmy Agent with Syndicate Bank, Wadi Branch, Nagpur. The applicant/petitioner received the

communication issued by the Regional Office of the Syndicate Bank in this regard. The fact that the original respondent no.11 is working as Pigmy Agent with the Syndicate Bank is not disputed on behalf of the respondent no.11. In these facts, in my view, the order dated 11th July, 2014 needs to be reviewed as follows :-

Instead of depositing the amount of wages of the original respondent no.11 in his bank account, the applicant/petitioner shall deposit the amount equivalent to the wages of respondent no.11 with the Registry of this Court every year by 15th December and the respondent no. 11 is permitted to withdraw the amount after furnishing surety to the satisfaction of the Registrar (Judicial) of this Court. The order passed by this Court on 1st October, 2014 and continued by the order dated 13th October, 2014 stands modified in the above terms. Miscellaneous Civil Application is disposed of accordingly.

JUDGE