

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.1224 OF 2016
IN
WRIT PETITION NO.7446 OF 2009

VENKATRAO DNYANOBA MANE

APPLICANT

VERSUS

THE SECRETARY, AHILYABAI HOLKAR
SHIKSHAN PRASARAK MANDAL
AND ANOTHER

RESPONDENTS

Mr.V.D.Gunale, Advocate for the respondents.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 05/02/2016

PER COURT :

1. None for the applicant.
2. This Court, by its order dated 14/06/2010, after hearing the non applicant / original petitioner granted ad-interim relief in terms of prayer clause "D" while admitting this matter. The petitioner was directed to deposit the amount of full back wages as per the order of the School Tribunal dated 01/10/2009. In paragraph No.4 of the order dated 14/06/2010, this Court granted permission to the respondent / applicant herein to file an application for withdrawal of amount.

3. The original petitioner has deposited an amount of Rs.64,590/- on 27/07/2010 and an amount of Rs.1,10,440/- on 13/07/2015. As such, an amount of Rs.1,75,030/- has been deposited in this Court.

4. Mr.Gunale, learned Advocate for the petitioner / Management vehemently opposes this application on the ground that if the applicants are allowed to withdraw the amount, it would be difficult to recover the same if the petition is finally allowed.

5. In the light of the above, this application is partly allowed. The applicant is permitted to withdraw an amount of Rs.1,00,000/- by filing an affidavit/undertaking that if he eventually is unsuccessful in the petition, he shall deposit the said amount in this Court within a period of 2 (two) months after the decision in the writ petition.

6. The applicant shall file a copy of his permanent address proof, a copy of his election Identity Card alongwith the affidavit undertaking at the time of withdrawing the money.

(RAVINDRA V. GHUGE, J.)