

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

CIVIL APPLICATION [CAW] NO.1616 OF 2017
IN
WRIT PETITION NO.3540 OF 2008

(The Divisional Controller, M.S.R.T.C., Nagpur
vs.

Smt. Zaheda Begam wd/o Ahsanul Haque and others)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

CORAM : KUM. INDIRA JAIN, J.
DATE : 2nd AUGUST, 2017.

Heard Shri A.H. Jamal, learned Counsel for applicants/respondent nos.1 & 2 and Shri P.B. Patil, learned Counsel for petitioner.

Perused order dated 02/02/2008 passed by Second Labour Court, Nagpur. Petitioner has deposited Rs.24,206/- in pursuance to the said order. Respondent nos.1 & 2 are praying for withdrawal of the same.

Submission of respondent nos.1 & 2 is that respondent no.3 is missing since 10/02/2009 and his whereabouts are not known. Copy of missing news is placed on record. Application is on affidavit. Respondent no.2 has given no objection to disburse the amount in the name of respondent no.1.

In view of above, respondent no.1 is allowed to withdraw the amount deposited by petitioner subject to an undertaking that respondent nos.1 & 2 would pay the share of respondent no.3 in case respondent no.3 claims his share in future.

Civil application stands disposed of in the above terms.

JUDGE