

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9355 OF 2017
WITH
CIVIL APPLICATION NO.12367 OF 2018
IN

WRIT PETITION NO.2307 OF 2016
(Devidas Nathhu Patil (dead), through LR's Vs. Managing Director
and others)

Mr.S.R.Patil, Advocate for the applicants.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 05/10/2018

PER COURT :

1. None present for the Management / original respondent. The applicants pray for withdrawal of amount.

2. I have considered the strenuous submissions of the learned Advocate for the applicant / original petitioner, who has been held by the Industrial Court as being guilty of misappropriation of large amounts, issuing false bills and selling livestock of the organization. Further allegations of misappropriation with regard to preparing false bills for LTC, withdrawing amounts from the Bank in collusion with another person, encashing cheques and misappropriating amounts, showing false tour programmes etc., have been levelled.

3. Applicant No.1 is the widow of the deceased petitioner. Applicant No.2 is the son of the deceased petitioner who is in private employment at Pune.

4. Considering the above, I do not find it appropriate to permit these applicants to withdraw the amount deposited in this Court. The said amount shall be invested in a Fixed Deposit Receipts by the Registry of this Court in any Nationalized Bank at Aurangabad, if not already invested, for a period of 1 year. CA No.9355/2017 is, therefore, disposed of.

5. In so far as the second application filed by the Management is concerned, I do not find it appropriate to entertain the request for an out of turn final hearing since this Court is hearing old matters lodged in 1991-1992 onwards on every Thursday. The said civil application is, therefore, rejected as the writ petition is of the year 2016.

6. The litigating sides are at liberty to renew their request in August 2019.

(Ravindra V.Ghuge, J.)