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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8977 OF 2018
IN
WRIT PETITION NO.8287 OF 2016

Shamshad Begum Shaikh Ahmed

APPLICANT

VERSUS

President Safa Education Society, Nanded & Ors. RESPONDENTS

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Mr. R. R. Shaikh, Advocate for the applicant

Mr. S. R. Choukidar, Advocate for respondents No.1 to 3

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 20th JULY, 2018

ORDER :

1. This civil application has been moved by respondent in writ petition.
2. The applicant claims that she had been employee of writ petitioner society and litigation had arisen, which had culminated into an order in her favour, which is under challenge in the writ petition. This court, under two orders dated 14th June, 2017 and 7th February, 2018 has allowed the applicant to withdraw sums of Rs.75,000/- and 3,25,000/- respectively. While withdrawal had been allowed subject to the conditions as mentioned in the orders, the applicant has been facing difficulties, since litigation

before the Tribunal had been prosecuted by her in her maiden name as daughter of Shaikh Ahmed whereas, now she is married and all her bank accounts are in her marital name showing her as wife of Shekh Mahemud.

3. Learned advocate for the applicant submits that the office of high court finds it difficult to issue cheque in marital name of the applicant in the absence of order of court. In the circumstances, she is not able to withdraw the amounts allowed to be withdrawn by this court. She is in dire need of the same.

4. Learned advocate for the applicant places on record photo copy of PAN card showing marital name of the applicant as well as her father's name. He also places on record photo copies of Aadhar card and voters identity card of the applicant.

5. Learned advocate for the respondent - employer is not in a position to dispute veracity of the submissions.

6. In the circumstances, it would be expedient to allow the request made under the civil application. Cheques be issued to the applicant in her marital name i.e. Shamsad Begum w/o Shekh Mahemud. Applicant, in addition to undertaking as directed under earlier orders, shall file an undertaking on

affidavit to the effect that she is the same person as appellant before School Tribunal and the person holding PAN Card, Aadhar card and voter's identity card and in case any dispute arises in future over identity of the person withdrawing, she would refund the amount so withdrawn along with interest within a period of eight weeks and that she indemnifies respondents No.1 to 4 in the application in respect of the amount. Learned advocate for the applicant states that he would identify the applicant.

7. Civil application stands disposed of.

[SUNIL P. DESHMUKH, J.]