

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2854 OF 2016
IN
WRIT PETITION NO. 8052 OF 2011**

Dinkar Deu Pawar

..Applicant

Vs.

The State Bank of India & Anr

..Respondents

Mr. Sagar Batavia for the Applicant

Mr. Rupesh Lanjekar for the Respondent Nos.1 and 2

**CORAM :R. M. SAVANT, &
NITIN W. SAMBRE, JJ
DATE : 4th OCTOBER, 2018**

P.C.

1 The above Civil Application has been filed for a direction that the Respondents be directed to pay a sum of Rs.21,25,000/- on account of accumulated account of provident fund as a interim urgent relief. However, during the course of the hearing of the above Civil Application the Learned Counsel for the Applicant/original Petitioner Mr. Batavia on instructions of the Petitioner would submit that the Petitioner would be satisfied if the Petitioner is paid the employees contribution of the provident fund. The employees contribution according to the Applicant/ original Petitioner is Rs.9,56,751/- for which the Applicant / original Petitioner relies upon the statement issued by the Bank to the Petitioner which is annexed at Exhibit A to the above Civil Application. In view of the said statement, the Learned Counsel for the Respondents was directed to obtain instructions as regards the exact amount

which would become due to the Applicant/original Petitioner by way of the employees contribution.

2 The Learned Counsel for the Respondent Bank has accordingly obtained instructions and produced a statement before us today of the Respondent Bank. The statement discloses that an amount of Rs.7,45,317/- which is the employees contribution of the provident fund which can be paid to the Petitioner. The said figure is as on March 2007. The Petitioner has been dismissed from service on 29-12-2006. The Learned Counsel appearing on behalf of the Applicant/original Petitioner Mr. Batavia is agreeable to accept the said amount of Rs.7,45,317/- at this stage by keeping open the issue of the exact amount due, for being agitated at the hearing of the above Petition. The above Civil Application is accordingly allowed to the extent of directing the Respondent Bank to pay the amount of Rs.7,45,317/- to the Applicant/ original Petitioner within 2 weeks from date. It is clarified that the issue as regards the exact amount that the Petitioner is entitled, is kept open for being agitated at the final hearing of the above Writ Petition. The statement tendered by the Learned Counsel Mr. Lanjekar is taken on record and marked as X for identification. The hearing of the above Writ Petition is expedited. The Civil Application is accordingly disposed of.

Meera
Mahesh
Jadhav

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by Meera
Mahesh Jadhav
Date: 2018.10.06
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[NITIN W. SAMBRE, J]

[R.M.SAVANT, J]