

sg

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2884 OF 2017

IN

WRIT PETITION NO.6283 OF 2011

Sadashiv Agatrao Choure

...Applicant
(Original Respondent No.1)

In the matter between

Shikshan Prasarak Mandal & Anr.

...Petitioners

vs

Sadashiv Agatrao Choure & Anr.

...Respondents

.....

Mr. Vijay R. Garad, h/f. M.A. Patil, for the Applicant/Original Respondent No.1.

Mr. I.M. Khairdi, for Original Petitioners.

Mr. J.A. Madane, AGP, for Respondent No.2.

.....

CORAM : S.C. GUPTE, J.

DATED: AUGUST 14, 2018

P.C.:

. Heard learned Counsel for the parties. This civil application seeks permission to withdraw 50% of back wages deposited by original Petitioners in pursuance of the statement made before this Court on 10 October 2011. The Petitioners have already deposited the entire back wages, 50% of which deposited in pursuance of the order of the School Tribunal by the first Respondent, has been allowed to be withdrawn.

2. By this civil application, the Respondent seeks to withdraw the balance 50%. Respondent No.1 has already superannuated and has been receiving pension. Considering the facts of the case, this Court is of the view that whilst the balance 50% of back wages may remain deposited and suitably invested, the hearing of the petition itself may be expedited. Accordingly, the petition is placed on board for hearing on 6 September 2018. The civil application is disposed of.

Smita
Johnson
Gonsalves

Digitally
signed by
Smita Johnson
Gonsalves
Date:
2018.08.20
12:03:26
+0530

(S.C. GUPTE, J.)