

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

965 CIVIL APPLICATION NO.4828 OF 2019

IN WP/11750/2018 WITH CA/4829/2019 IN WP/11790/2018 WITH CA/4830/2019 IN WP/11799/2018 WITH CA/4831/2019 IN WP/11752/2018 WITH CA/4832/2019 IN WP/11817/2018 WITH CA/4833/2019 IN WP/11818/2018 WITH CA/4834/2019 IN WP/11763/2018 WITH CA/4835/2019 IN WP/11831/2018 WITH CA/4836/2019 IN WP/11774/2018 WITH CA/4837/2019 IN WP/11760/2018 WITH CA/4838/2019 IN WP/11828/2018 WITH CA/4839/2019 IN WP/11832/2018 WITH CA/4840/2019 IN WP/11798/2018 WITH CA/4841/2019 IN WP/11753/2018 WITH CA/4842/2019 IN WP/11834/2018 WITH CA/4843/2019 IN WP/11813/2018 WITH CA/4844/2019 IN WP/11796/2018 WITH CA/4849/2019 IN WP/11782/2018 WITH CA/4850/2019 IN WP/11768/2018 WITH CA/4851/2019 IN WP/11822/2018 WITH CA/4852/2019 IN WP/11795/2018 WITH CA/4853/2019 IN WP/11803/2018 WITH CA/4854/2019 IN WP/11771/2018 WITH CA/4855/2019 IN WP/11759/2018 WITH CA/4856/2019 IN WP/11775/2018 WITH CA/4857/2019 IN WP/11827/2018 WITH CA/4859/2019 IN WP/11769/2018 WITH CA/4860/2019 IN WP/11800/2018 WITH CA/4861/2019 IN WP/11754/2018 WITH CA/4862/2019 IN WP/11815/2018 WITH CA/4863/2019 IN WP/11758/2018 WITH CA/4864/2019 IN WP/11821/2018 WITH CA/4865/2019 IN WP/12115/2018 WITH CA/4866/2019 IN WP/11819/2018 WITH CA/4869/2019 IN WP/11816/2018 WITH CA/4888/2019 IN WP/11829/2018 WITH CA/4889/2019 IN WP/11793/2018 WITH CA/4890/2019 IN WP/11787/2018 WITH CA/4891/2019 IN WP/11785/2018 WITH CA/4892/2019 IN WP/11806/2018 WITH CA/4893/2019 IN WP/11811/2018 WITH CA/4894/2019 IN WP/11805/2018 WITH CA/4895/2019 IN WP/11801/2018 WITH CA/4896/2019 IN WP/11823/2018 WITH CA/4897/2019 IN WP/11757/2018 WITH CA/4898/2019 IN WP/11814/2018 WITH CA/4899/2019 IN WP/11792/2018 WITH CA/4900/2019 IN WP/11826/2018 WITH CA/4909/2019 IN WP/11779/2018 WITH CA/4910/2019 IN WP/11778/2018 WITH CA/4911/2019 IN WP/11781/2018 WITH CA/4912/2019 IN WP/11808/2018 WITH CA/4913/2019 IN WP/11804/2018 WITH CA/4914/2019 IN WP/11765/2018 WITH CA/4915/2019 IN WP/11807/2018 WITH CA/4916/2019 IN WP/11780/2018 WITH CA/4917/2019 IN WP/11789/2018 WITH CA/4919/2019 IN WP/11830/2018 WITH CA/4922/2019 IN WP/11762/2018 WITH

CA/4924/2019 IN WP/11791/2018 WITH CA/4925/2019 IN
 WP/11756/2018 WITH CA/4927/2019 IN WP/11766/2018 WITH
 CA/4928/2019 IN WP/11784/2018 WITH CA/4929/2019 IN
 WP/11776/2018 WITH CA/4930/2019 IN WP/11786/2018 WITH
 CA/4931/2019 IN WP/11802/2018 WITH CA/4933/2019 IN
 WP/11788/2018 WITH CA/5739/2019 IN WP/11764/2018 WITH
 CA/5745/2019 IN WP/11767/2018

BALASAHEB SONABA CHOUDHARI
 VERSUS
 BAJAJ AUTO LIMITED AURANGABAD

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Advocate for Applicant : Mr. Kawre B.R. And Dhobale Nitin L.
 Advocate for Respondent : Mr. S. V. Dankh and Adv L. B. Deshmukh.

CORAM : V. L. ACHLIYA, J.
DATE : 02/05/2019

PER COURT :

1. The applicants/respondents in respective petitions have preferred these applications for permission to withdraw the amount deposited by the petitioner pursuant to the order passed by this Court.
2. Heard learned counsel for the applicants/respondents and the non-applicant/petitioner.
3. Learned counsel for the non-applicant/petitioner opposed the application with contention that the petitioner has good case to succeed. The amount has been deposited subject to outcome of the petitions. In case the applicants are allowed to withdraw the amount it will be difficult to recover the amount in the event the petitions are

allowed and order of Labour Court is set aside. It is further submitted that in identical matters this Court has allowed to withdraw the amount subject to furnishing solvent surety.

4. Learned counsel for the applicants submits that in number of matters the petitioner-Company has accepted the verdict of Labour Court to pay the compensation and no petitions are filed challenging those orders passed and urged to allow the applicants to withdraw the amount without furnishing surety.

5. Considering the submissions advanced and the orders passed in the matters of other petitioners, I am of the view the applications deserves to be disposed of in terms of orders dated 03.10.2017 (Coram : Nitin W. Sambre, J.) passed in Civil Application No. 13567/2016 with Civil Application No. 5711/2016 in Writ Petition No. 4731/2015 and order dated 23.09.2016 (Coram : T.V. Nalawade, J.) passed in Civil Application No. 12235/2016 in Writ Petition No. 5805/2014 along with connected petitions.

6. Accordingly the applications are allowed. The applicants in respective petitions are allowed to withdraw the amount subject to outcome of respective petitions on each of them furnishing solvent surety to the extent of amount to be withdrawn as well as filing of written

undertaking to the effect that in the event the petitions are allowed and the applicants are required to redeposit the amount, they shall deposit the same within eight weeks from the date of such order.

7. The Civil Applications are disposed of in above terms.

(V. L. ACHLIYA, J.)

mkd