

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

**CIVIL APPLICATION NO. 8503 OF 2019
IN
WRIT PETITION NO. 11833 OF 2018**

Ashok Laxmanrao Surnar

..APPLICANT

VERSUS

Bajaj Auto Limited

..RESPONDENT

....
Mr. B.R. Kawre, Advocate for applicant
Mr. L.B. Deshmukh, Advocate for respondent
....

**CORAM : R.G. AVACHAT, J.
DATED : 13th SEPTEMBER, 2019**

PER COURT :

The applicant is the respondent in Writ Petition No. 11833 of 2018. By the present application, applicant seeks permission to withdraw the amount deposited in the Court by present respondent (petitioner). Present respondent has filed Writ Petition No. 11833 of 2018 challenging the order/award passed by Labour Court. Sum of Rs.1,00,000/- has been deposited by petitioner, subject to the decision in writ petition. The applicant claimed that the amount was due towards salary. He required the amount for his day-to-day needs.

2. Learned Counsel for the respondent resisted the application.

3. The record indicates that in the similar matters, order has been passed allowing withdrawal of amount. Take for instance order dated 02nd May, 2019 passed in Civil Application No. 4828 of 2019 in Writ Petition No. 11750 of 2018.

4. Present civil application is allowed, subject to the outcome of writ petition. The applicant shall furnish solvent surety equal to the amount to be withdrawn. The applicant shall also furnish an undertaking to the effect that in the event writ petition is allowed, he will redeposit the amount, if so directed, within eight weeks from such direction. Civil application stands disposed of in above terms.

(R.G. AVACHAT, J.)

SSD