

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.4643 OF 2018
IN WP/11951/2015
(Rizwana Parveen Sayed Ahmed Vs. Milansar Shikshan Prasarak
Mandal and others)
WITH
CIVIL APPLICATION NO.9674 OF 2019
IN WP/11951/2015

Mr.M.V.Ghatge, Advocate for the applicant.
Mr.V.J.Dhage, Advocate for respondent Nos. 1 and 2.
Mr.S.W.Munde, AGP for State.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 30/08/2019

PER COURT :

1. In the first application, the applicant/employee prays for leave to resume duties in view of her acquittal in the criminal cases right up to this Court. However, this Court has passed an order on 19/10/2018 that this civil application will be heard alongwith the petition.

2. By the second civil application, the applicant prays for withdrawing the residual amount of Rs.1,00,000/- alongwith accrued interest pending in this Court. It is submitted that her legal dues towards unpaid wages pursuant to the impugned judgment of the School Tribunal, would be about Rs.32,00,000/- upto February

2019. She, therefore, submits that an amount of Rs.1,00,000/- with accrued interest can be withdrawn by the applicant and she has no source of income. This Court had permitted her to renew her request vide paragraph No.7 of the order dated 15/09/2017 passed in CA No.938/2017.

3. The learned Advocate for the respondent/original petitioner Management has strenuously opposed the said application. The Management has also filed an affidavit in reply to the said civil application for opposing the said request.

4. Considering the above and the leave granted by this Court vide order dated 15/09/2017, this civil application is allowed. The applicant is permitted to withdraw the amount of Rs.1,00,000/- with accrued interest, on the same terms and conditions as are set out below paragraph No.6 of the order dated 15/09/2017 in CA No.938/2017.

5. Since, the learned Advocate for the original petitioner submits that his brief written notes of submissions are ready and the petition can be heard finally, list WP No.11951/2015 on 21/11/2019 for final hearing.

(Ravindra V.Ghuge, J.)