

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

**CIVIL APPLICATION NO.12444 OF 2019 IN
WRIT PETITION NO. 10470 OF 2018**

SUPERINTENDING ENGINEER THE MAHARASHTRA
ELECTRICITY DISTRIBUTION COMPANY AND ANOTHER
VERSUS
SUBHASH MADHAVRAO BHOGADE

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Advocate for the Applicants : Shri A. S. Bajaj
Advocate for the Respondent - sole : Shri A. R. Borulkar

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 15th OCTOBER, 2019.

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PER COURT :

1. The applicant / original petitioner submits that though the order has been passed by this Court on 26/09/2019, the issue as regards the refund of the amount of Rs. 90,000/-, if the employee suffers an adverse order, will have to be modified as the amount would be more than Rs. 90,000/- since the gratuity amount, if paid in excess, will have to be recalculated.

2. The learned Advocate for the employee submits that these calculations can be done when the Writ Petition is finally decided.

3. As such, though the figure Rs. 90,000/- appears in paragraphs 11 and 13 of the order dated 26/09/2019, the parties shall note that the said figure is subject to proper calculations and the issue of refund will, therefore, be kept open.

4. The date 09/01/2019 appearing in paragraph 9 of the said order is erroneously typed. In view of the submissions of the learned Advocates, the said order is dated 15/04/2013. Correction be carried out accordingly.

5. The Civil Application is, therefore, disposed off.

(RAVINDRA V. GHUGE, J.)

shp/-