

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

**25 CIVIL APPLICATION NO.4813 OF 2020
IN WP/593/2019**

**DEELIP SUKHLAL BORSE
VERSUS
R C PATEL EDUCATIONAL TRUST SHIRPUR THROUGH SECRETARY AND
ANOTHER**

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Advocate for Applicant : Mr. Talhar Ajay G.
Advocate for Respondent : Mr. Bagul D. S.

**CORAM : MANGESH S. PATIL, J.
DATE : 14/09/2020**

PER COURT :

Heard both the sides. The order regarding reinstatement of the applicant is being challenged by the Management in this Writ Petition. This Court had directed the petitioner/Management to deposit some amount and pursuant thereto it has deposited an amount of more than Rs. 6,00,000/- which now the applicant who is the respondent No. 2 in the Writ Petition is seeking to withdraw.

2. Obviously the rights between the parties will have to be determined finally by deciding the Writ Petition which is likely to take some time. For the time being it is apparent that the applicant/respondent No. 2 has been directed to be reinstated which order is under challenge. Obviously, he would be interested in getting the arrears at the earliest.

3. Taking into account that the applicant is aged more than 60 years and the petition is yet to be decided finally, it would be appropriate to allow him to withdraw part of the amount subject to usual conditions.

4. The Application is allowed. The applicant is allowed to withdraw an amount of Rs. 3,00,000/- (Rs. Three Lakh only) subject to furnishing a solvent surety and an undertaking that he would refund the amount in case ordered by the Court in future.

(MANGESH S. PATIL, J.)

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