

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 CIVIL APPLICATION NO.5169 OF 2020
IN WP/1902/2019

DILIP SURYABHAN BHALERAO
VERSUS
THE CHIEF EXECUTIVE OFFICER,
PARBHANI DISTRICT CENTRAL CO-OPERATIVE BANK LTD.

.....
Advocate for Applicant : Mr. Kadu Shivraj B.
Advocate for Respondents : Mr. S.G. Joshi
.....

CORAM : V. K. JADHAV, J.
DATED : 13th OCTOBER, 2020

PER COURT:-

1. I have heard learned counsel for the applicant.
2. Though learned counsel for the respondent Chief Executive Officer, Parbhani District Central Co-operative Bank Limited has vehemently opposed this application seeking withdrawal of the amount deposited before this Court on the ground that the applicant had indulged in misappropriation of the huge amount and the said amount is yet to be recovered from him, however, admittedly the applicant employee is not governed by the Maharashtra Civil Services Rules and there are no Service Rules placed on record to point out that the bank is empowered to withhold the retiree benefits of the employee. However, since the petition is pending, I am inclined allow this civil application permitting the applicant to withdraw the entire amount deposited before this Court on the condition that the

applicant to furnish an undertaking to the effect that in case the writ petition is decided against the applicant, the applicant would refund the entire amount withdrawn by him.

3. In view of above, civil application is allowed and the applicant is permitted to withdraw the amount deposited by the respondent before this Court by executing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

4. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)

rlj/