

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8006 OF 2020 IN
CONTEMPT PETITION NO. 825 OF 2018

SYED ABEDUDDIN SYED BAHUDDIN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Ashwin V. Hon, Advocate for applicants
Mr. V.R. Dhorde, Advocate for respondent no. 2 in contempt petition
Mrs. G.L. Deshpande, AGP for respondent - State
...

CORAM : SUNIL P. DESHMUKH &
R.G. AVACHAT, JJ.
DATE : 14-12-2020

ORDER :

1. Order had been passed on 20-10-2020, directing deposit of ₹ 4,00,000/- (₹ 2,00,000/- each for present applicants), pursuant to which, it appears that amount has been deposited in this court and, as such, this application for withdrawal has been moved.

2. Learned counsel for applicants refers to order dated 19-06-2020 in civil application (st.) no. 10710 of 2020 and submits that amount has been deposited towards difference of salary as arrears of sixth pay commission and dearness allowance has been allowed to be withdrawn in similar circumstances and requests for parity.

3. Learned counsel for respondent no. 2 - Mr. Dhorde purports to put up stiff resistance for withdrawal of amount, stating that amount may not be allowed to be withdrawn. Over and above this, he submits the institution has ran out of funds for want of students and there is high hope that decision in the matter is not likely to be in favour of applicants.

4. Although this is so, while applicants state to be in service as employees of respondent no. 2 – institution, and claim that the amount is due and in similar case, withdrawal has been allowed, it would be appropriate that request under present application is also granted.

5. In view of the same, civil application is allowed in terms of prayer clause (B) and is disposed of.

[R. G. AVACHAT]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

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