

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

**904 CIVIL APPLICATION NO.6054 OF 2021
IN WP/944/2018**

BHIMA NARAYAN GAWALI
VERSUS
THE MUNICIPAL CORPORATION, DHULE, THROUGH ITS
COMMISSIONER

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**CIVIL APPLICATION NO.6055 OF 2021
IN WP/806/2018**

JAMANABAI ANANDA MALI
VERSUS
THE MUNICIPAL CORPORATION, DHULE, THROUGH ITS
COMMISSIONER

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**CIVIL APPLICATION NO.6056 OF 2021
IN WP/934/2018**

GANGARAM KESHEV DEORE
VERSUS
THE MUNICIPAL CORPORATION, DHULE, THROUGH ITS
COMMISSIONER

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**CIVIL APPLICATION NO.6057 OF 2021
IN WP/805/2018**

INDUBAI SUKHLAL CHAUVAN
VERSUS
THE MUNICIPAL CORPORATION, DHULE, THROUGH ITS
COMMISSIONER

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Advocate for Applicants : Shri N. L. Choudhari
Advocate for Respondent : Shri V.B.Jadhav h/f. Shri A.V. Hon

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CORAM : M.G.SEWLIKAR, J.

DATE: 20th July, 2021

PER COURT:-

1. Shri V.B.Jadhav, learned counsel holding for Shri A.V.Hon, learned counsel for respondent states on instructions that respondent has still not preferred Special Leave Petition (S.L.P.) before the Hon'ble Supreme Court.
2. Shri N.L.Choudhari, learned counsel for the applicants invites the attention of this Court to the order dated 21-04-2021 passed by this Court to the effect that the respondent was granted four weeks time to prefer S.L.P. He further states that out of Rs.3,00,000/- awarded by the learned Industrial Tribunal, respondent has deposited only Rs.1,00,000/- in each of the petitions. Each of the Applicants has withdrawn Rs.50,000/- on giving undertaking.
3. Shri Jadhav, learned counsel for the respondent states that papers have been handed over to the counsel in the Hon'ble Supreme Court for filing of S.L.P. He has written instructions in that regard from the respondent. He states that within two weeks time he will report about progress of the matter in the Hon'ble Supreme Court. Till that time, applicants may not be allowed to withdraw the amount as the applicants have retired and it will be very difficult to recover the amount from them in

case respondent succeeds in the Hon'ble Supreme Court.

4. Shri Choudhari, learned counsel for the applicants states that one of the applicants has left for heavenly abode during the pendency of the petitions. He states that he is ready to give undertaking of depositing the amount in lumpsum, if required.

5. The decision of this Court is dated 21-04-2021. Respondent had sought four weeks time to prefer S.L.P before the Hon'ble Supreme Court. It has still not preferred S.L.P. In view of this, I deem it appropriate to allow each of the applicants to withdraw an amount of Rs.50,000/- subject to giving an undertaking by the applicants that in case S.L.P is filed in the Hon'ble Supreme Court and the decision goes against the applicants, they will deposit entire amount in lumpsum in this Court.

6. Civil Applications are disposed of.

(M.G.SEWLIKAR)
JUDGE

SPT