

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAZ) NO.29 OF 2021
IN
LETTERS PATENT APPEAL NO.459 OF 2011 (D)
IN
WRIT PETITION NO.5522 OF 2010 (D)

Bal Mandir Sanstha (Paranjpe School), Khare Town, Dharampeth, Nagpur Thr. its Chairman

-vs-

Devidas Kawaduji Raghute, Laxmi Nagar, Nagpur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms K. K. Pathak, Advocate for applicant/appellant.
Shri D. S. Thakur, Advocate for respondent No.1.
Shri A. S. Fulzele, Additional Government Pleader for respondent
Nos.2 and 3.

CORAM : A. S. CHANDURKAR AND G. A. SANAP JJ.
DATE : December 02, 2021

Leave is granted to the original appellant to correct the cause title of the Letters Patent Appeal. Consequently the cause title of the judgment dated 30/09/2021 be also corrected.

The appellant has filed this application seeking permission to deposit an amount of Rs.3,11,139/- in compliance of the directions issued in the Letters Patent Appeal. In the application it is stated that the arrears of salary are Rs.2,49,238/- while the amount of gratuity is Rs.61,901/-.

Reply has been filed by the respondent No.1 disputing the calculations as furnished by the appellant.

As the Letters Patent Appeal has been decided we are not inclined to go into this aspect. The appellant is permitted to deposit the amount of Rs.3,11,139/- in this Court. The respondent No.1 is at liberty to withdraw the aforesaid amount

without prejudice to his rights and contentions. In case there is a difference in the entitlement of the respondent No.1, he is free to adopt such course for recovery of that amount in accordance with law.

Civil Application is disposed of.

(G. A. Sanap, J.)

(A. S. Chandurkar, J.)