

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

CIVIL APPLICATION (CAW) NO.568 OF 2020 IN
WRIT PETITION NO. 1563 OF 2016

Vighnaharta Gramin Vikas Sanstha, through its Secretary and Anr.
Vs.

State of Maharashtra, through its Secretary, Education and Sports
Department, Mantralaya, Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri S.M. Ukey, Addl. GP for respondent Nos.1 and 2.
Shri P.A. Kadu, Advocate h/f Shri P.S. Patil, Advocate for respondent No.3.

CORAM : V.M. DESHPANDE, J.
DATE : JANUARY 22, 2021.

Counsel for the petitioner is absent.

(2) This application is moved by the respondent no.3 seeking permission for withdrawal of amount deposited by the petitioner in this Court.

(3) Heard Shri P.A. Kadu, learned counsel holding for Shri P.S. Patil, learned counsel for respondent No.3.

(4) This writ petition is filed by the petitioner-Management challenging the order dated 11.09.2015 passed by the learned Presiding Officer, School Tribunal whereby an appeal filed by the respondent No.3 was allowed and respondent no.3 was reinstated with backwages.

(5) This writ petition is admitted on 27.06.2016 however interim order was rejected.

(6) According to the application, the petitioner's Management has deposited Rs.77,500/- towards backwages. In the application itself stated that though amount is deposited by Management, permission be granted to him to withdraw the said amount under protest.

(7) The application is allowed and disposed of.

(8) The respondent No.3 – Nilesh Vasudeo Zade is permitted to withdraw the amount of Rs.77,500/-, which is deposited by the petitioner in this Court along with accrued interest thereon, without prejudice to agitate the issue before this Court regarding correctness of calculation of the backwages.

JUDGE

Wagh