

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**917 CIVIL APPLICATION NO.402 OF 2022
IN WP/417/2017**

ANNASAHEB SOPANRAO GAIKWAD AND OTHERS
VERSUS
PARBHANI DISTRICT CENTRAL CO OPERATIVE BANK LTD THROUGH
IT'S GENERAL MANAGER

WITH

**918 CIVIL APPLICATION NO.412 OF 2022
IN WP/416/2017**

RAM BHIVAJI PANDIT AND OTHERS
VERSUS
PARBHANI DISTRICT CENTRAL CO OPERATIVE BANK LTD THROUGH
IT'S GENERAL MANAGER

WITH

**919 CIVIL APPLICATION NO.414 OF 2022
IN WP/418/2017**

DIGAMBAR ANANDRAO SHIRSATH AND OTHERS
VERSUS
PARBHANI DISTRICT CENTRAL CO OPERATIVE BANK LTD THROUGH
IT'S GENERAL MANAGER

Mr.Sudhir Bhalerao h/f Mr.Y.R.Barhate, Advocate for the applicants.
Mr.Umesh Gite h/f Mr.M.S.Deshmukh, Advocate for respondent No.1.

(CORAM : BHARATI H. DANGRE, J.)

DATE : JANUARY 20, 2022

PER COURT :

1. By the present applications, the employees who are impleaded as respondents in the writ petitions, seek a relief of being permitted to withdraw the amount, which has been deposited by the petitioner/Bank in this Court and the withdrawal is sought as per the chart annexed at Exh.B.

The submission by the learned counsel for the applicants is; it is the same chart submitted by the Bank and the deposits has been made in consonance with the said chart, upon an application being moved by the Bank for depositing arrears of Dearness Allowance (DA for Short) in installments.

2. The learned counsel for the Applicants place reliance upon the orders passed by this Court in WP No.416/2017, where the applicants who are similarly situated, took out an application for withdrawal of the amount deposited by the Bank pursuant to the order passed by the Court and this Court has granted the application, subject to an undertaking being furnished of remitting the amount back in case the petition of the Bank is allowed.

3. On the last date of hearing, the learned counsel for the Bank, Shri

Deshmukh sought time to ascertain the said position.

Today, he states that this position is not in dispute and it is also not disputed that infurtherance of the directions issued by this Court, the Bank has deposited the amount of DA in this Court.

In the wake of the aforesaid fact, since the Bank has already deposited the arrears of DA in installments as per the calculations depicted in Annexure B, which is placed alongwith the CA's, which reflect the amount of DA deposited qua each of the applicant in 3 installments, all the applicants are permitted to withdraw the amount shown against their names in the chart. The withdrawal of the amount will crystallize their rights in terms of the orders passed by the Apex Court, wherein the payment of DA to the employees has been confirmed.

4. The learned counsel for the applicants states that since in the 3 applications filed in 3 writ petitions, there are several applicants and in the wake of the pandemic, instead of they approaching the Registry for withdrawal of the amount, this Court may issue directions to the learned Registrar to transmit the amount due to each of them into their respective accounts directly, so that the inconvenience can be avoided.

The aforesaid request can be granted in the peculiar situation of pandemic and to avoid congregation of the applicants in the Court premises. The learned Registrar (Judicial) is directed to transmit the amount due to each applicant in terms of the chart at Annexure B on the applicants furnishing their account numbers alongwith the copy of Aadhar Cards either through one of the representative of the applicants/their counsel or through e-mail address to the Registrar (Judicial). In case of any applicant who do not possess the account, he shall remain present before the learned Registrar (Judicial) and on identifying himself, the amount will be remitted to him.

5. With the aforesaid directions, the civil applications are made absolute.

(BHARATI H. DANGRE, J.)