

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 19214 OF 2022
IN
WRIT PETITION NO. 7162 OF 2019**

Pratibha Tulve Applicant

In the matter between :-

Smt. Kamaladevi Gauridutt Mittal and ors. Petitioners

v/s.

Pratibha Tulve Respondent

Mr. P.M. Arjunwadkar a/w. Mr. Raj Satam for the Petitioners.
Mr. Akshay Kolse – Patil a/w. Mr. Prateek Pansare
i/b. Prabhakar Jadhav for the Applicant/Respondent.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 13th DECEMBER, 2022.

P. C. :-

. The Applicant who is the Respondent – workman has sought withdrawal of the amount deposited by the Petitioners towards back wages from the year 2018 till the date of the order dated 24/02/2022.

2. The Petitioners – employer has challenged the order of reinstatement and grant of back wages. The Petition has been admitted and is pending since the year 2019. The Applicant-workman has expressed his inability to furnish bank guarantee. The Applicant – workman cannot be allowed to withdraw the amount unconditionally as the deposit of back wages is subject to the outcome of the Writ

Petition.

3. Considering the above facts and circumstances and also considering the fact that the Petition is pending since the year 2019 and the Applicant – workman is out of employment since the year 2016, the petition be listed on final hearing board on **18/01/2023**.

4. Interim Application stands disposed of with liberty to the Applicant – workman to file fresh Application in the event the Petition is not decided within a reasonable time. In the meantime, parties to explore possibility of an amicable settlement.

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JAYANI

(SMT. ANUJA PRABHUDESSAI, J.)

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