

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

**CIVIL APPLICATION NO. 1061 OF 2023
IN
WRIT PETITION NO. 11931 OF 2018**

Bhaurao Devidas Nakade
Since deceased through his L.Rs.
Janhvi Bhaurao Nakade and others .. Applicants

Versus

Parbhani District Central Cooperative
Bank Ltd. Parbhani through its
Chief Executive Officer .. Respondent

Shri Yuvraj R. Barhate, Advocate for the Applicants.
Shri B. G. Parnerkar, Advocate h/f Shri R. B. Muley, Advocate
for the Respondent.

**CORAM : SHARMILA U. DESHMUKH, J.
DATE : 28TH FEBRUARY, 2023.**

FINAL ORDER :

. Civil application has been preferred by the applicants seeking permission to withdraw the amount which has been deposited by the respondent/bank as per the chart annexed at Exhibit – B to the civil application.

2. The original applicant had instituted a complaint before the Industrial Court seeking payment of dearness allowance which was not paid since January 2000 upto the date of retirement along with 6% interest from the date of filing of complaint. As against order passed by the Industrial Court, respondent/bank

preferred Writ Petition No. 11931 of 2018, which was dismissed by this Court on 30th April, 2019. The challenge to the said order before the Apex Court was also negatived on 09th December, 2019. While disposing of the SLP, the Apex Court observed that application filed by the employees for the dearness allowance may be considered by this Court.

3. Learned counsel appearing for the respondent-bank submits that there is no objection for allowing the civil application and the applicants may be permitted to withdraw the amount as per the chart at Exhibit – B to the civil application. The chart which is annexed shows the amount which has been deposited in respect of different employees and in the present case applicant is at Sr. No. 22 and amount which is shown to be deposited is Rs. 27,020/-.

4. In the light of the above, the civil application is allowed. The applicant is permitted to withdraw the amount of Rs. 27,020/- deposited by the respondent/bank in this Court. The civil application stands allowed.

5. The Registry is directed to transfer the amount to the bank account of the applicants upon the correct bank details being furnished by the applicants.

[SHARMILA U. DESHMUKH, J.]

bsb/Feb. 23