

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

**CIVIL APPLICATION NO.2509 OF 2023
IN WP/12380/2022**

**PARBHANI DISTRICT CENTRAL COOPERATIVE BANK
LIMITED
VERSUS
MANIK SHAKARRAO RAUT**

...

Mr. R. B. Muley, Advocate for the Applicant.

Mrs. Ranjita Barhate h/f Mr. Yuvraj Barhate, Advocate for Respondent.

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**CORAM : SHARMILA U. DESHMUKH, J.
DATED : 27th FEBRUARY, 2023.**

PER COURT:-

1. This Civil Application has been preferred by the applicant/orig. petitioner seeking direction to the Registrar (Judicial) to transmit the amount which is reflected as deposited in the Writ Petition No.9059/2022 to be reflected as deposited in the Writ Petition No.12380/2022.

2. By order dated 28.07.2022 the interim relief in terms of prayer Clause (B) was granted subject to the payment of the entire amount of arrears of Dearness Allowance as per the Schedule stated in paragraph no.5 of the order dated 28.07.2022.

3. By final order dated 05.12.2022 the petition came to be dismissed with the liberty to the respondent to withdraw the deposited amount with accrued interest. Subsequent to the disposal of the writ petition, the petitioner submitted a chart of

the beneficiaries employees and while depositing the arrears of the Dearness Allowance in respect of the present respondent through error the amount has been deposited in the Writ Petition No.9059/2022.

4. It is clear from the orders passed in the petitions that the respondent i.e. Manik S/o Shankarrao Raut, is the respondent in Writ Petition No.12380/2022. The chart which is annexed at Exhibit-A of the Civil Application shows the deposit in respect of M. S. Raut in Writ Petition No.9059/2022. Considering the above, it is clear that there has been an error in depositing the amount and as such, the civil application deserves to be allowed.

5. The Registrar (Judicial) is directed to transmit the amount reflected as deposited in Writ Petition No.9059/2022 to be reflected as deposited in Writ Petition No.12380/2022 and the amount to be transmitted accordingly. Let the exercise to be carried out within a period of three weeks from today and consequent thereto the respondent is at liberty to withdraw the said amount.

6. Civil Application is accordingly disposed of.

(SHARMILA U. DESHMUKH)
JUDGE