



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

**30 CIVIL APPLICATION NO. 1838 OF 2024
IN WRIT PETITION NO.846 OF 2006**

**GOPINATH TUKARAM MALI
DECEASED THROUGH L.Rs. PUNAMCHAND & OTHERS
VERSUS
DHARANGAON NAGAR PALIKA, DHARANGAON &
OTHERS**

...

Advocate for Applicants : Mr.T.K.Sant
AGP for Respondent-State : Mrs.K.R.Jamdhade
Advocate for Respondent : Mr.J.V.Patil

...

WITH

**CIVIL APPLICATION NO. 1839 OF 2024
IN WRIT PETITION NO.846 OF 2006**

...

**DHARANGAON NAGAR PALIKA, DHARANGAON
VERSUS
GOPINATH TUKARAM MALI [DIED] & OTHERS**

...

Advocate for applicant : Mr.J.V.Patil
AGP for the respondent-State : Mrs.K.R.Jamdhade
Advocate for respondent : Mr.T.K.Sant

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 12.02.2024

P.C. :

1] Writ Petition No.846 of 2006 was filed by the petitioner – Dharangaon Nagar Palika, challenging the judgment and order dated 14.12.2005 passed by the Member, Industrial Court, Jalgaon in Misc. Appln. [ULP]

No.20 of 2003 wherein Dharangaon Municipal Council was directed to deposit an amount of Rs.33,21,507/- along with interest @ 7% p.a. The Municipal Council was also directed to pay salary and benefit of permanent employees on the post they were working. Considering the interest on the aforesaid amount, total amount is due Rs.35,46,902/-.

2] By order dated 28th July, 2023, Writ Petition No.846 of 2006 was dismissed. The order dated 28th July, 2023 passed by this Court is as under :

A. Writ petition No.846 of 2006 is dismissed.

B. Writ petition No. 84 of 2007 is allowed. The petitioners shall be paid the same benefits like that of other employees / respondents in Writ Petition No. 846 of 2006.

C. In view of the fact that amount of Rs.33,21,507/- was deposited in this Court and out of that 50% amount was withdrawn by the employees and 50% was remitted back to the Municipal Council, the Municipal Council shall deposit the amount withdrawn by it, along with 7% simple interest p.a. from the date of withdrawal till the date of deposit of the amount in this Court, within a period of eight weeks from the date of uploading of this order.

D. The employees are at liberty to withdraw the amount deposited by the Municipal Council, by filing Civil Applications.

E. In view of disposal of the writ petitions, all the pending civil applications stand disposed of.

3] In terms of the order dated 28th July, 2023, Dharangaon Nagar Palika seeks leave of this Court to

deposit the balance amount. The Municipal Council is permitted to deposit the balance amount of Rs.13,46,902/-.

4] On deposit of the balance amount by the Municipal Council, the applicants in Civil Application No.1838 of 2024 are permitted to withdraw the entire amount deposited by the Municipal Council along with accrued interest thereon in view of the dismissal of the writ petition filed by the municipal council.

5] Both Civil Applications are disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC