

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (W) NO.2710 OF 2022

IN

WRIT PETITION NO. 2627 OF 2012 (D)

(Chunnilal K. Thakre and others vs. Municipal Council Gondia and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms. Ritu Jog, Advocate h/f. Mr. S.M.Patrikar, Advocate for the petitioners.

Mr. A.M.Ghogare, Assistant Government Pleader for respondent Nos.2 and 3.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : JANUARY 05, 2024

We have perused the prayer and the pleadings of the application. We have heard Ms.Ritu Jog, learned counsel appearing for the petitioners and Mr.Ghogare, learned Assistant Government pleader for the respondent Nos.2 and 3.

2) A prayer is made in the application for permission to withdraw the amount of Rs.12 Lakhs. It appears that the writ petition came to be disposed of vide order dated 26/07/2022.

3) The petitioners' claim is that they are entitled for the benefit of 5th and 6th Pay Commission. This Court has already directed the respondent No.1 to pay the amount.

4) In view of above, the present application appears to have been moved. Though served afresh, the respondent No.1 has chosen not to appear in the matter.

5) As such, we permit the petitioners to withdraw the amount of Rs.12 Lakhs deposited in this Court. The petitioners

shall give an undertaking that in case an issue as regards their entitlement to the said amount is cropped-up, they shall indemnify the respondent No.1.

6) Subject to aforesaid compliance, the application stands allowed.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)