



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

974 CIVIL APPLICATION NO. 2203 OF 2025
IN WP/12310/2022

Usha Eknath Jogdand

VERSUS

The Municipal Council Osmanabad Thr Its Chief Executive
Officer Another

WITH

CIVIL APPLICATION NO. 2207 OF 2025
IN WP/5072/2023

Kondabai Maruti Ghodake And Another

VERSUS

The Municipal Council Osmanabad Thr Its Chief Executive
Officer And Another

WITH

CIVIL APPLICATION NO. 2206 OF 2025
IN WP/12295/2022

Subhadra Nagappa Mahindrakar And Another

VERSUS

The Municipal Council Osmanabad Thr Its Chief Executive
Officer And Another

WITH

CIVIL APPLICATION NO. 2204 OF 2025
IN WP/12311/2022

Khatunbee Ilahi Tamboli And Another

VERSUS

The Municipal Council Osmanabad Thr Its Chief Executive
Officer Another

WITH

CIVIL APPLICATION NO. 2202 OF 2025
IN WP/12309/2022

Parvati Durganath Madhurkar And Another

VERSUS

The Municipal Council Osmanabad Thr Its Chief Executive

Officer Another

WITH
CIVIL APPLICATION NO. 2205 OF 2025
IN WP/12298/2022

Chandrakala Rajendra Patil And Another

VERSUS

The Municipal Council Osmanabad Thr Its Chief Executive
Officer Another

- Mr. N. P. Patil Jamalpurkar, Advocate for the Applicants
- Mr. M. B. Kolpe h/f Mr. V. B. Deshmukh, Advocate for Respondent No. 1
- Mr. D. V. Tele, Advocate for the Respondent No. 2
- Mr. S. B. Jadhav, AGP for the Respondent/State

CORAM : R. M. JOSHI, J

DATE : APRIL 02, 2025

COMMON ORDER :

1. These applications are filed by the Applicants/Original Respondents for withdrawal of amount deposited by Respondent/Original Petitioner – Municipal Council, Osmanabad.

2. Applicants have filed proceedings before the Labour Court, Latur seeking direction to pay the arrears of wages. These applications filed under the Industrial Disputes Act came to be allowed. Petitioner – Municipal Council being aggrieved by the said orders has filed these Petitions. The orders impugned were

stayed subject to deposit of entire amount. By these applications, Applicants/Employees seek withdrawal of the said amount.

3. Learned Counsel appearing for the Municipal Council records no objection for the withdrawal of amount subject to usual undertaking that the said withdrawal would be subject to outcome of these Petitions and that if Petitioner succeeds, the Applicants/Employees would return the said amount to the Municipal Council.

4. There is no dispute about the fact that the concerned Applicants had earlier filed proceedings before the Labour Court by filing complaint under the provisions of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 for seeking regularization. The order of regularization passed in favour of Applicants/Employees came to be challenged before this Court as well as before the Hon'ble Supreme Court unsuccessfully. This fact clearly indicates that if the amount deposited is allowed to be withdrawn, the Municipal Council would be in a position to recover the same in case Council

succeeds in these Petitions from their retiral dues.

5. In any case, since no objection has been recorded by the Municipal Council for withdrawal of amount, these applications stand allowed in terms of prayer clauses 'B' and 'C'. Undertaking be filed in this Court as well as before Labour Court while withdrawing the amount that in case the Petitioner – Council succeeds in the Petitions, the entire amount shall be refunded to the Municipal Council forthwith.

(R. M. JOSHI, J.)