

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10232 OF 2025

IN

WRIT PETITION NO. 4497 OF 2001

Nilima Ashok Pagare

.. Applicant

Versus

Trustees of the Oriental Education Trust & Ors.

.. Respondents

INTERIM APPLICATION NO. 10299 OF 2025

IN

WRIT PETITION NO. 12 OF 2002

Nilima Valmik Khairnar & Ors.

.. Applicants

Versus

Education Officer (Primary),

Ulhasnagar Municipal Corporation & Ors.

.. Respondents

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- Mr. Mayuresh Lagu a/w Mr. Sagar Patil & Mr. Shashank Dubey, Advocates for Applicants
- Mr. Shailesh K. More, Advocate for Respondent No. 1 in IA 10232/25 & for Respondent No. 2 in IA 10299/25

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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 5, 2025

P. C.:

1. Heard Mr. Lagu, learned Advocate for both Applicants and Mr. More, learned Advocate for the Trust. Facts and orders are identical in the case of both Applicants as informed by the learned Advocates.

2. Pursuant to the order dated 22.07.2025 in IA 10299/25 & order dated 23.07.2025 in IA 10232/25, Respondent - Oriental Education Trust is represented by Mr. More. He would submit that he has

perused the above orders and taken instructions from the Management of the Trust running the Educational Institution and it has no objection if the amounts are allowed to be withdrawn by the Applicants.

3. Affidavit of service has been filed. All Respondents have been served. Present Applications cannot be protracted any further. Considering order dated 07.02.2017 and directions contained therein which *prima facie* enable the Applicants to maintain the present Applications seeking withdrawal of 50% of the amounts deposited pursuant to the order dated 13.12.2001 & 19.01.2004, present Applications are allowed in terms of prayer clause (a). Needless to state that Applicants shall be entitled to the said 50% amount of backwages which have been deposited pursuant to the aforesaid order along with all accrued interest thereon which has been earned on the said amount after the amounts were deposited in this Court.

4. In view of the above, Registry of this Court is directed to transfer the amounts to both the Applicants along with all accrued interest thereon within a period of two weeks from today positively. Learned Advocate for Applicants shall provide all details of Applicants' bank account to the Registrar / Department / Registry of this Court forthwith along with server copy of this order. Under no circumstances, there shall be delay in transferring the aforesaid

amount. If any fixed deposit is to be broken, same shall be done immediately for the above compliance.

5. Insofar as prayer clauses (b) and (c) in both Applications are concerned, it is directed that responsibility of preparing pay bills and updated service book of Applicants shall be with Respondent - Trust upto the date of service of Applicants with the School of the Trust. The Trust shall complete the service book upto that date and submit it to the concerned Education Officer for taking further steps.

6. Liberty to apply to the Applicants for orders regarding further compliance of prayer clauses (b) and (c).

7. Both Interim Applicants are disposed in the aforesaid terms.

[MILIND N. JADHAV, J.]

Amberkar

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