

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 48 OF 2020

M/s. Hindustan Construction Company Ltd &  
Ors. .. Petitioners

**Versus**

Kishore Govind Magar .. Respondent

.....

- Mr. P.M. Palshikar a/w P.C. Pavaskar, Advocate for Petitioners
- Mr. Sumedh S. Modak, Advocate for Respondent

.....

**CORAM : MILIND N. JADHAV, J.**

**DATE : SEPTEMBER 15, 2025**

**P. C.:**

1. Heard Mr. Palshikar, learned Advocate for Petitioners and Mr. Modak, learned Advocate for Respondent.

2. Mr. Modak would submit that he needs to take appropriate instructions from his client. He would submit that since the fact that he has now retired, it would be inconvenient and inappropriate for him to return / bring back the amount if this Court holds to the contrary with regard to his last drawn pay. He would submit that the last drawn pay which has been considered by the Court by directing deposit from Petitioners has been the subject matter of previous proceedings and culminated by two orders of Court which have not been further challenged by Petitioner. He would therefore submit that in the peculiar facts and circumstances of the present case, equity

would demand that this Court take a contrary view than the suggestion expressed in the previous order dated 29.07.2025.

3. Mr. Palshikar has submitted his written submissions and list of dates along with citations. Copy of the same is handed over to Mr. Modak. Mr. Modak is directed by Court to give his written submissions to the Court on or before the next adjourned date.

4. Stand over to **22nd September, 2025** under the caption "**for Hearing**".

[ MILIND N. JADHAV, J. ]

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