

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

WRIT PETITION NO. 615 OF 2015

Parvez Md Abrar Shaikh

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Santosh B. Gastgar, Advocate for the Petitioner.

Shri D. B. Bhange, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
V. L ACHLIYA, JJ.**

DATE : 19TH JANUARY, 2015.

PER COURT :

. The petitioner is terminated on account of conviction in a criminal case. Mr. Gastgar, the learned counsel submits that, even if the petitioner is not entitled for pension, the petitioner would be entitled for death-cum-gratuity, however, the same is not considered.

2. The learned A. G. P. states that, for the said purpose the petitioner can move under the Payment of Gratuity Act before the appropriate forum.

3. In the light of that, the writ petition is disposed of with liberty to the petitioner to approach the appropriate forum for

claiming his alleged gratuity. All contentions of respective parties are kept open.

4. The authority, where the proceedings would be filed shall consider the time spent in prosecuting the present writ petition. No costs.

5. In case the said proceedings are filed by the petitioner, the authorities shall decide the same on its own merits expeditiously and preferably within a period of six (6) months from the date of receipt of the same.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]