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

WRIT PETITION NO. 6194 OF 2015

AMARSINGH LAXMIKANT PARDESHI
VERSUS
MANAGING DIRECTOR, THE MAHARASHTRA STATE CO OPERATIVE
MARKETING FEDERATION LTD.

...
Advocate for Petitioner : Mr.Nagarsoge Sahebrao A.
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 29th June, 2015

Per Court:

1 The Petitioner has challenged the impugned order dated 07.03.2015 delivered by the Labour Court in Application PGA No.25/2013 by which the said application has been rejected.

2 This Court in the matter of *Chief Executive Officer, Zilla Parishad, Beed v/s Assistant Labour Commissioner and others*, reported in 2014(2) All M.R. 134 : 2014(3) Mh.L.J. 639 (Writ Petition No.1855/2012 judgment dated 27.11.2013), has already concluded that the litigating sides have a statutory remedy under Section 7(7) of the Payment of Gratuity Act, 1972 by which any aggrieved person desirous of challenging the order passed by the Controlling Authority, can prefer an

appeal before the Appellate Authority.

3 The Controlling Authority, as the law stands today, is the Labour Court or any other such Court duly authorized in law. The Appellate Authority is the Industrial Court.

4 In the light of the above, this Writ Petition is dismissed by granting liberty to the Petitioner to approach the Appellate Authority under Section 7(7) of the Payment of Gratuity Act, 1972 by preferring an appeal.

5 Time spent in this Court from 23.03.2015 till the passing of this order shall be a good ground for condonation of delay in the event the Petitioner prefers the appeal proceedings within a period of SIX WEEKS from today.

(RAVINDRA V. GHUGE, J.)