

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6227 OF 2015

KAUTIKRAO VISHRAM FARKADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 7560 OF 2015

EKNATH KISAN RAHTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 7570 OF 2015

JAGANNATH SHAHUBA SALVE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 7845 OF 2015

TEJRAO PUTALA SAKHARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8136 OF 2015

JANKIRAM SHAMRAO SIRSAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8137 OF 2015

KASHINATH TRAMBAK SAKHALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8138 OF 2015

DIGAMBAR LAXMAN KAPALE
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8139 OF 2015

DATTATRAYA LAXMIKANTRAO PALSHIKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8140 OF 2015

NAVNATH NARAYAN SAKHLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8141 OF 2015

RAMKRISHNA KESHAV AUTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8142 OF 2015

UTTAM BALWANTA SAKHLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8143 OF 2015

BHASKAR PIRAJI TAYADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8144 OF 2015

KESHAV RAJARAM NAGVE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8145 OF 2015

GANPAT SHENPHAD TAYDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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WITH
WRIT PETITION NO. 8146 OF 2015

KAUTIK BHIKA BANKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8147 OF 2015

GAJANAN TUKARAM DUTONDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8148 OF 2015

BHARATSINGH HARSINGH SURYAWANSHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8149 OF 2015

BALWANTA LAXMAN PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8150 OF 2015

DAMODHAR SHANKAR INGLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8151 OF 2015

DEORAO NAMDEO RAUT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8152 OF 2015

SALUBA BALA KALE, LRS ANUSAYABAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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WITH
WRIT PETITION NO. 8153 OF 2015

DHANAJI PUNDLIK SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH
WRIT PETITION NO. 8154 OF 2015

KADUBA RAOJI KUNTE, LRS KANTABAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for petitioners : Mr. A. A. More
Additional G.P. / AGP for respondent Nos. 1 to 3 : Mr. K. G. Patil, Mr. K. M.
Suryawanshi, Mr. S. G. Sangle, Mr. D. B. Bhande, Mr. K. J. Ghute Patil
and Mrs. S. A. Dhumal

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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 6th AUGUST, 2015

P.C. :-

1. Mr. More, the learned counsel for the petitioners states that the order has been passed under the Payment of Gratuity Act, 1972, by the authorities wherein, respondent No. 4 herein is directed to pay the amount of gratuity to the petitioners. The learned counsel submits that pursuant to the said order, revenue recovery certificates are also issued. The same are required to be executed in accordance with the provisions of the Maharashtra Land Revenue Code, 1966. The learned counsel submits that the revenue recovery certificates are issued in the months of November/December-2014 and February-2015, however, as yet, no steps are taken by the authorities for executing the same.

2. The learned AGP states that before executing the revenue recovery certificates, the authorities have to confirm all other aspects of the matter, such as the properties not being attached or charged under other laws by the other creditors. In case there is no other impediment, the authorities would execute the revenue recovery certificates in accordance with law.

3. Considering the above, we pass the following order :

ORDER

I. In case the revenue recovery certificates in favour of the petitioners are still in force and the properties of respondent No. 4 are not attached or no further steps are taken by any other creditor, then the authorities i.e. respondent Nos. 2 and 3 shall execute the revenue recovery certificates in accordance with law expeditiously. The petitioner shall cooperate in showing the properties of the Karkhana, movable as well as immovable to enable the authorities to proceed further. We have not laid down any particular time frame, however, it is expected that the authorities shall take expeditious steps to execute the same considering that it is an amount with regard to the gratuity and the petitioners are senior citizens.

II. The writ petitions are disposed of. No costs.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)