

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

WRIT PETITION NO. 2177 OF 1998

Sangli, Miraj and Kupwad Sangh,
Municipal Corporation,
through Commissioner.

... Petitioner.

V/s.

Mr. Gajanan Ramchandra Gavandi
(since deceased) through Legal Heirs
Smt. Indubai & Ors.

... Respondents.

Mr. N.V. Walawalkar, Sr. Advocate a/w G.K. Keluskar for the
Petitioner.
None for the Respondents.

CORAM : N.M. JAMDAR, J.

DATE : 18 NOVEMBER, 2015.

P.C. :-

Heard learned Counsel for the Petitioner.

2. The Writ Petition challenges the order passed by the Labour Court, Sangli dated 14 January 1998 directing the Petitioner – Corporation to pay an amount of Rs.8,000/- to the Respondent towards bonus.

3. The Petition has been pending since the year 1998 and was dismissed for default twice and restored. The Respondent has also since expired and his heirs have been brought on record.

4. The learned Counsel for the Petitioner submitted that though the amount involved in this Petition is only Rs.8,000/-, the reason why Petition was filed is because findings on legal position upon which the amount is granted may affect the Corporation if similar claims are made in future by the other employees.

5. Considering the fact that the amount involved is only Rs.8,000/- and part of the amount is deposited by the Corporation, I am not inclined to interfere with the impugned order in the extra-ordinary jurisdiction of this Court. As far as the question of law is concerned, it is kept open to be agitated in appropriate case in case similar claim is made by the other employees.

6. The Writ Petition is accordingly dismissed with the clarification as above.

(N.M. JAMDAR, J.)