

Sequeira

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

CIVIL APPLICATION NO.2193 OF 2014

Kolhapur District Bank Employees Union. .. Applicant

Vs.

Prathamik Shikshak Sahakari Bank Ltd. & anr. .. Respondents

IN

WRIT PETITION NO. 8322 OF 2011

Prathamik Shikshak Sahakari Bank Ltd.Kolhapur .. Petitioner

Vs.

Kolhapur District Bank Employees Union & anr. .. Respondents

Mr.Sandesh Shukla and Mr.Harshavardhan Bhende, for the Applicant.

Mr.K.S.Bapat i/b M/s.Desai & Desai Associates, for the Petitioner.

**CORAM: N.M. JAMDAR, J.
Wednesday, 17 February 2016.**

PC. :

The Application is filed seeking retiral dues of the employees concerned in the Application. The matter was kept today since the grievance was made on instructions by the learned counsel for the Applicant that no retiral dues are paid. The learned counsel for the Respondents states that except for the disputed amount of leave encashment, the retiral dues of the concerned employees have already been released. The learned counsel for the Applicant accepts this position, however states that since financial position of the Bank has improved there is no difficulty for the Bank to pay

the claim of leave encashment. The learned counsel for the Petitioner-Bank on instructions of the Chief Executive Officer of the Petitioner Bank who is stated to be present in the Court states that, as of today, though financial condition of the Bank has not improved too much, the Petitioner-Bank, without prejudice to rights and contentions of the parties is ready to pay the amount of leave encashment to the concerned employees taking a criteria to the extent of maximum 120 days. He states that if the concerned employees are willing to accept this amount, the Petitioner-Bank is ready to pay the same before 15 April 2016.

2. It will be open to the concerned employees to collect this amount from the Petitioner-Bank without prejudice to their rights and contentions in the Writ Petition on or before 15 April 2016.

3. In view of this position, no further relief can be granted in this Application. The Application is accordingly disposed of

(N.M.Jamdar, J.)