

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9494 OF 2011
(Vinayak Dattaji Vinchure Vs. The State of Maharashtra
and others)

Mr. S.R. Choukidar, Advocate for the Petitioner
Mr. A.A. Jagatkar, A.G.P. for the respondent/State
Mr. V.D. Salunke, Advocate for respondent Nos. 4 and 5

CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.

DATE : 16th MARCH, 2017

PER COURT :

Heard.

2. The learned counsel for the petitioner submits that after filing of the present petition, the petitioner is paid an amount of Rs. 2,39,986/- on 6th April, 2012.

3. Mr. Salunke, the learned counsel for respondent Nos. 4 and 5 submits that whatever amount of gratuity was due and payable to the petitioner has been paid.

4. It appears that there is dispute with regard to the quantum of gratuity amount due and payable to the petitioner. The Authority under the Payment of Gratuity

Act would be the competent person to calculate the amount of gratuity payable.

5. In the light of above, we dispose of the Writ Petition with liberty to the petitioner to avail of the remedy before the Authority under the Payment of Gratuity Act. All the contentions of respective parties are kept open. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

npj/wp9494-2011