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

WRIT PETITION NO. 11884 OF 2017

Maharashtra State Road Transport Corporation, Solapur ... Petitioner

Versus

Baburao Kallappa Birajdar ... Respondent

WITH

WRIT PETITION NO. 8630 OF 2017

Maharashtra State Road Transport Corporation, Solapur ... Petitioner

Versus

Pandurang Gangaram Witkar ... Respondent

WITH

WRIT PETITION NO. 11885 OF 2017

Maharashtra State Road Transport Corporation, Solapur ... Petitioner

Versus

Kedarnath Mallappa Bhadange ... Respondent

WITH

WRIT PETITION NO. 11886 OF 2017

Maharashtra State Road Transport Corporation, Solapur ... Petitioner

Versus

Shobha wd/o Ashok Sathe ... Respondent

WITH

WRIT PETITION NO. 11887 OF 2017

Maharashtra State Road Transport Corporation, Solapur ... Petitioner

Versus

Subhash Sitaram Kumbhar ... Respondent

WITH

WRIT PETITION NO.9693 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Baburao Siddhappa Benure .... Respondent

WITH

WRIT PETITION NO.10683 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Dattatraya Dagadu Survase .... Respondent

WITH

WRIT PETITION NO.10684 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Dattu Malhari Waghmare … Respondent

WITH

WRIT PETITION NO.10685 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Madhukar Anna Lawate …. Respondent

WITH

WRIT PETITION NO.11516 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Sadashiv Ishwarappa Bahirje … Respondent

WITH

WRIT PETITION NO.11518 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Babu Bhau Chavan ... Respondent

WITH

WRIT PETITION NO.12020 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Sidram Sadashiv Awaje ... Respondent

WITH

WRIT PETITION NO.12298 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Mahadev Siddhappa Hulle ... Respondent

WITH

WRIT PETITION NO.12301 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Tulsabai Dattatraya Thorat ... Respondent

WITH

WRIT PETITION NO.12303 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Shiwaji Tukaram Jadhav ... Respondent

WITH

WRIT PETITION NO.12447 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Krishnat Upayatappa Kutti ... Respondent

WITH

WRIT PETITION (L) NO.17134 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Bhagwat Vitthal Chabukswar … Respondent

WITH

WRIT PETITION (L) NO.17139 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Kamal Shivaji Namde … Respondent

WITH

WRIT PETITION (L) NO.17732 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Changdeo Dagadu Pawar … Respondent

WITH

WRIT PETITION (L) NO.17733 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Audappa Somanna Pujari … Respondent

WITH

WRIT PETITION (L) NO.17791 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Liyakat Amirali Mujawar … Respondent

WITH

WRIT PETITION (L) NO.17834 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Mohmed Rafique Ismail Sayyed ... Respondent

WITH

WRIT PETITION (L) NO.17895 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Shivaji Pandharinath Nichal ... Respondent

WITH

WRIT PETITION (L) NO.17897 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Siddheshwar Vishnu Magade ... Respondent

WITH

WRIT PETITION (L) NO.17972 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Maruti Sopan Sawant ... Respondent

WITH

WRIT PETITION (L) NO.17973 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Shivayya Sidramayya Swami ... Respondent

WITH

WRIT PETITION (L) NO.17974 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Sulabha Dattatraya Wandare ... Respondent

WITH

WRIT PETITION (L) NO.18003 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

versus

Nabilal Mehboob Sheikh … Respondent

WITH

WRIT PETITION (L) NO.18079 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Nagnath Ganpat Gaikwad … Respondent

WITH

WRIT PETITION (L) NO.18207 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Veerbhadra Shivappa Hotkar … Respondent

WITH

WRIT PETITION (L) NO.24711 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Vijaykumar Ambadas Bhuite … Respondent

WITH

WRIT PETITION (L) NO.25181 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Anil Tulshiram Patre … Respondent

WITH

WRIT PETITION (L) NO.25189 OF 2017

Maharashtra State Road Transport Corporation … Petitioner

Versus

Namdev Jayavant Darade … Respondent

WITH

WRIT PETITION (L) NO.25208 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Nandkumar Sanjivan Kamble ... Respondent

WITH

WRIT PETITION (L) NO.25432 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Usman Lala Sayyed ... Respondent

WITH

WRIT PETITION (L) NO.25433 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Vasant Ramchandra Raut ... Respondent

WITH

WRIT PETITION (L) NO.25434 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Shiwaji Tulsidas Taklikar ... Respondent

WITH

WRIT PETITION (L) NO.27952 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Gulab Turasaheb Attar ... Respondent

WITH

WRIT PETITION (L) NO.27956 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Sarjerao Rama Bharti ... Respondent

WITH

WRIT PETITION (L) NO.27971 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Mohan Narayan Dhole ... Respondent

WITH

WRIT PETITION (L) NO.28007 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Shashikant Narayan Naidu ... Respondent

WITH

WRIT PETITION NO. 10686 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Jayprakash Appasaheb Shinde ... Respondent

WITH

WRIT PETITION NO. 12448 OF 2017

Maharashtra State Road Transport Corporation ... Petitioner

Versus

Sharda Ashok Kamble ... Respondent

Mr.Y.P. Deshmukh for the Petitioner in all the above Writ Petitions.
Mr.Prasad B. Kulkarni for the Respondent in all the above Writ Petitions.

CORAM : S.J. KATHAWALLA, J.
DATED : 11th DECEMBER, 2017

P.C.:

1. Forty-one Writ Petitions are on board. Two Writ Petitions being Nos.10686 and 12448 of 2017 are not on board. They are at the request of the Advocates taken on board. Mr. Prasad Kulkarni undertakes to file Vakalatnama in the above Writ Petitions except Writ Petition (L) Nos.17733, 17972, 24711 and 25432, of 2017. The undertaking is accepted.

2. Heard the Learned Advocates appearing for the parties. In the above Writ Petitions except Writ Petition (L) Nos.17733, 17972, 24711 and 25432, of 2017, the following order is passed, by consent :-

(a) The orders dated 16th March, 2016 and 29th November, 2016 are set aside.

(b) The Controlling Authority under the Payment of Gratuities Act, 1972, Solapur shall decide the complaint filed by the employees afresh after giving hearing to both the parties and/or their Advocates.

(c) The Controlling Authority under the Payment of Gratuities Act, 1972, Solapur shall endevour to dispose off the Complaint filed by the employees within a period of eight weeks from the date of this order.

(c) All contentions of the parties are kept open.

(d) The parties and/or their Advocates shall appear before the Controlling Authority under the Payment of Gratuities Act, 1972, Solapur on 13th December, 2017 at 11.00 a.m. and after producing a copy of this order obtain necessary directions in the matter.

(e) The parties shall not seek adjournment/s unless absolutely necessary. The Controlling Authority under the Payment of Gratuities Act, 1972, Solapur shall also not adjourn the proceedings unless absolutely necessary.

3. In view of this order, the above Writ Petitions except Writ Petition (L) Nos.17733, 17972, 24711 and 25432 of 2017 are disposed off.

4. As far as Writ Petition (L) Nos.17733, 17972, 24711 and 25432, of 2017 are concerned, none appear for the Respondents though served. The same are admitted and placed for hearing and final disposal on 19th December, 2017. The Learned Advocate for the Petitioner shall forthwith serve a copy of this order on the Respondents by Speed Post/Registered Post A.D. and/or by hand-delivery and file an Affidavit proving service on the adjourned date. Since 39 Writ Petitions are disposed off by this order after hearing the parties and the issue involved in the remaining four Writ Petitions is the same, the four Writ Petitions being (L) Nos.17733, 17972, 24711 and 25432, of 2017 be treated as part-heard and the permission from the Hon'ble Chief Justice to this effect shall be forthwith obtained.

(S.J.KATHAWALLA, J.)