

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.9270 OF 2015**

Vasant Babi Gurav

.... Petitioner

Vs.

The Managing Director,  
Maharashtra State Farming Corporation  
Limited

.... Respondent

Ms Anjali S. Ranade for the Petitioner.

Mr. Vivek V. Salunke for the Respondent.

**CORAM:** S.C. DHARMADHIKARI &  
SMT. BHARATI H. DANGRE, JJ.

**DATE** : NOVEMBER 29, 2017

**P.C:**

1. We have heard the petitioner's Advocate at length.

We have perused the petition.

2. The prayers in the petition make an interesting reading. From a perusal of these prayers on page 15 of the paper-book, particularly prayers (ii) and (iii), it is evident that the petitioner is raising a very stale claim and that too by way of

a writ petition which has been filed in this Court on 24-11-2014.

3. In the petition itself, at more places than one, it is stated that the petitioner's dues are arrears of revision of pay as per the 4th Pay Commission with effect from 1-1-1986 to 15-6-1994, arrears of Dearness Allowance 66% increased by the Government of Maharashtra from 1-7-1990 to 15-6-1994, and the difference of ex gratia payment while voluntarily retiring the petitioner from the services of a statutory Corporation/enterprise of the Government of Maharashtra on the basis of the 4th Pay Commission recommendations and increased Dearness Allowance. Then, the differential gratuity on revised pay and increased Dearness Allowance and differential amount of encashment of balance leave, Bonus, etc.. The petitioner does not dispute that the order of the Controller under the Payment of Gratuity Act, 1972 has been complied with and the Recovery Certificate issued by the Collector of District, Pune is now enforced and implemented. Though the amount has been paid belatedly, that will not give a cause of action to the petitioner to approach this Court in writ

jurisdiction and seek the amounts under the afore quoted heads. These are disputed claims. There is absolutely no explanation other than the petitioner's repeated representations for the enormous delay amounting to laches. We do not think that in writ jurisdiction such old and stale claims can be permitted to be revived. The petition is, therefore, dismissed.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)