

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

904 WRIT PETITION NO. 8141 OF 2018

BHAGWAN PANDURANG BHOMBE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

904 WRIT PETITION NO. 8141 OF 2018

BHAGWAN PANDURANG BHOMBE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

905 WRIT PETITION NO. 8142 OF 2018

BABURAO DEORAO DAUD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

906 WRIT PETITION NO. 8143 OF 2018

BHAGWAN TUKARAM BANKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

907 WRIT PETITION NO. 8144 OF 2018

VITTHAL DAGDU BHCHARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

908 WRIT PETITION NO. 8145 OF 2018

SHRIPAT GANPAT CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

909 WRIT PETITION NO. 8146 OF 2018

BALKRISHNA YASHWANTRAO BANSOD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

918 WRIT PETITION NO. 8163 OF 2018

DHONDIBA THAMAJI KAKADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

923 WRIT PETITION NO. 8172 OF 2018

GANGADHAR KISANRAO KALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

934 WRIT PETITION NO. 8187 OF 2018

KADUBA SHENPHAD PANDHARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. More Ashok A.
AGP for Respondents : Mr. A.V.Deshmukh

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**CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.**

DATE : JULY 19, 2018

O R D E R :

1. Mr. More, the learned counsel for the petitioners states that the order has been passed under the Payment of Gratuity Act,

1972, by the authorities wherein, respondent No. 4 herein is directed to pay the amount of gratuity to the petitioners. The learned counsel submits that pursuant to the said order, revenue recovery certificates are also issued. The same are required to be executed in accordance with the provisions of the Maharashtra Land Revenue Code, 1966. The learned counsel submits that the revenue recovery certificates are issued in the months of November 2017, however, as yet, no steps are taken by the authorities for executing the same.

2. The learned AGP states that before executing the revenue recovery certificates, the authorities have to confirm all other aspects of the matter, such as the properties not being attached or charged under other laws by the other creditors. In case there is no other impediment, the authorities would execute the revenue recovery certificates in accordance with law.

3. Considering the above, we pass the following order :

O R D E R

I. In case the revenue recovery certificates in favour of the petitioners are still in force and the properties of respondent No. 4 are not attached or no further steps are taken by any other creditor, then the authorities i.e. respondent Nos. 2 and 3 shall execute the

revenue recovery certificates in accordance with law expeditiously. The petitioner shall cooperate in showing the properties of the Karkhana, movable as well as immovable to enable the authorities to proceed further. We have not laid down any particular time frame, however, it is expected that the authorities shall take expeditious steps to execute the same considering that it is an amount with regard to the gratuity and the petitioners are senior citizens.

II. The writ petitions are disposed of. No costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

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