

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO. 11761 OF 2017

Maharashtra State Road Transport Corporation, Solapur ... Petitioner

Versus

Bharat Shridhar Gaikwad and another ... Respondents

Mr.Y.P. Deshmukh for the Petitioner.
Mr.Prasad B. Kulkarni for the Respondents.

CORAM : S.J. KATHAWALLA, J.
DATED : 4th JANUARY, 2018

P.C.:

1. More than 40 Writ Petitions on the same issue have been disposed off by setting aside the impugned orders and remanding the matters by consent of the parties to the Controlling Authority under the Payment of Gratuity Act, 1972. In this matter, despite service, none appear for the Respondents. In view thereof, order in similar terms is passed as follows :

(a) The orders dated 22nd February, 2016 and 19th 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 endeavour to dispose off the Complaint filed by the employees within a period of eight weeks from the date of this order.

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

(e) The parties and/or their Advocates shall appear before the Controlling Authority under the Payment of Gratuities Act, 1972, Solapur on 23rd March, 2018 at 11.00 a.m. and after producing a copy of this order obtain necessary directions in the matter.

(f) 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.

2. A copy of this order shall be forthwith served on the Respondents by the Advocate for the Petitioner by Speed Post A.D./Registered Post A.D. and/or by hand delivery.

3. In view of this order, the above Writ Petition stands disposed off.

(S.J.KATHAWALLA, J.)