

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

**CIVIL APPLICATION NO. 2440 OF 2018
IN
WRIT PETITION NO. 4271 OF 2010**

Anita B. Vaidya and Ors.	...	Applicants
<u>In the matter between</u>		
Elpro International Ltd., Mumbai	...	Petitioner
V/s.		
B.G. Vaidya (Since deceased)		
Through LRs. :-		
Anita B. Vaidya and Ors.	...	Respondents

**WITH
WRIT PETITION NO. 4271 OF 2010**

Elpro International Ltd., Mumbai	...	Petitioner
V/s.		
B.G. Vaidya (Since deceased)		
Through LRs. :-		
Anita B. Vaidya and Ors.	...	Respondents

- Mr.K.S. Bapat i/b. Mr.Avinash Fatangare for the Petitioner.
- Ms.Hemangi Kuber for the Applicants/Respondents.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 29th NOVEMBER, 2018.

P.C. :

- 1] Not on board. Upon mentioning taken on production board.
- 2] This Application is preferred by the legal heirs of the Respondents. Those legal heirs are already brought on record. The

Application is for withdrawal of the gratuity amount deposited in this Court with accrued interest.

3] Learned counsel for the Petitioner and learned counsel for the Applicants/Respondents brings to the notice of this Court the settlement agreement executed between the Petitioner and legal heirs of original employee dated 04/03/2017. Its copy is produced on record at page No.9 which is marked as Exhibit-B. In view of this settlement agreement between the parties, learned counsel for the Petitioner submits that he has no objection to allow this application.

4] Accordingly, the Application is allowed. The Applicants i.e. the legal heirs of original Respondent-employee are permitted to withdraw the entire amount along with interest accrued thereon which is deposited by the Petitioner. The office is directed to pay the said amount to the legal heirs after ascertaining and confirming their identity.

5] In view thereof, nothing survives in the Writ Petition, hence stands disposed of. Rule discharged.

[DR.SHALINI PHANSALKAR-JOSHI, J.]