

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

WRIT PETITION NO. 5296 OF 2020

Ramrao Khandu Gavli through
L.Rs. Kamalbai Ramrao Gavli
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. Ashok A. More, Advocate for the Petitioners.

Mr. S. G. Karlekar,, AGP for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 22nd February, 2021.

PER COURT:-

. The learned counsel for the petitioners submits that recovery certificate has been issued under Section 8 of the Payment of Gratuity Act, 1972. The steps are not taken by the revenue authority to recover the amount.

2. In case, the recovery certificate issued in favour of the petitioners is pending with the respondent authorities, the respondent authorities shall take steps to release the amount under the recovery certificate issued in favour of the petitioners by taking necessary steps as contemplated under the provisions of the Maharashtra Land Revenue Code.

3. The petitioners may point out the properties of respondent No. 4. The authorities executing the recovery certificate shall consider the priority charges of secured assets or otherwise on its own merits and shall also consider if there is any other impediment to execute the recovery certificate. The steps shall be taken expeditiously by the revenue authorities.
4. Writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.