

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

WRIT PETITION NO. 6123 OF 2021

Siddeshwar Sahakari Sakhar Karkhana
Ltd., Manik Nagar, Sillod, through its
authorised Officer

..Petitioner

Versus

The State of Maharashtra and anr.

..Respondents

Mr A.M. Karad, Advocate for petitioner
Mr D.R. Kale, in-charge Govt.Pleader for respondents

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

DATE : 9th April 2021

PER COURT :

1. We have heard Mr Karad, learned Counsel for the petitioner.
2. The learned Counsel for the petitioner submits that for one or the other purpose the amount is paid to the employees. The same is required to be considered while executing the order of payment of gratuity as per the order of the authority.
3. The petitioner has already filed an application for setting aside the ex-parte order before the Officer under the payment of gratuity Act. The petitioner may make such a request before the said authority. The Officer seized with the matter would be in a better position to consider the grievance of the petitioner. The petitioner may bring it to the notice of the Officer under the Payment of Gratuity Act that the petitioner has filed application for setting aside the ex-parte order and all the relevant facts and put forth its grievance.
4. With the aforesaid observations, Writ Petition disposed of. No costs.
5. Authenticated copy of this order be given.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)