

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

981 WRIT PETITION NO.203 OF 2022
SIDHESHWAR SAHAKARI SAKHAR KARKHANA LTD. MANIKNAGAR
THROUGH ITS LABOUR OFFICER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for Petitioner : Mr. Amarjising B. Girase
GP for respondent No. : Mr. D.R. Kale

...
CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.
DATE : 5th JANUARY, 2022

PER COURT :-

1. Mr. Girase, learned counsel submits that the petitioner has entered in tripartite agreement. There are secured creditors. The property is secured asset. Respondent has issued public notice for auction on the ground that the Revenue Recovery Certificate ('RRC') issued in favour of erstwhile employees, is to be executed. The same is illegal.
2. The order is passed by this Court in the petition filed by erstwhile employees for execution of the Revenue Recovery Certificate issued for payment of their gratuity amounts, as petitioner failed to pay the gratuity amount due and payable to them.
3. The petitioner need not take care of the secured creditors and other party, We may consider the grievance of secured creditors and other party, if they approach this Court. The petitioner would not have any locus to challenge the public notice.
4. In light of the above, writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE