

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6080 OF 2022

DHANJAY BHAGWAN PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioners : Mr.Mahesh K. Bhosale h/f
Ms.Sonawane Sunita G.
AGP for the Respondents/ State : Shri A.R. Kale
...

CORAM : RAVINDRA V. GHUGE
&
ANIL L. PANSARE, JJ.

DATE :- 14th July, 2022

Per Court :-

1. We have considered the strenuous submissions of the learned advocate for the petitioners. He has drawn our attention to prayer clause B, which reads as under :-

“B) *By issuing writ of certiorari or any other appropriate writ or direction in the like nature kindly directed the respondents to pay Gratuity amount and decide the representations of petitioners dated 11.03.2022 for gratuity amount of petitioner no.1 Rs.2,93,995/- (two lac ninety three thousand nine hundred ninety five rupees) with interest amount with interest, and amount of Rs.2,20,497/- (Two lac twenty thousand four hundred ninety seven rupees) with interest for petitioner No.2 within stipulated period by giving necessary direction and oblige.”*

2. The learned AGP submits that the prayer for gratuity is directed against the private polytechnic college/ respondent Nos.2 and 3 and this Court would not have jurisdiction to entertain this writ petition considering the effect of Article 12 of the Constitution of India.

3. The learned advocate for the petitioners submits that at least the representation of the petitioners dated 11.03.2022 be directed to be considered.

4. In view of the above, this Writ Petition is disposed off.

5. We expect respondent No.2 to consider the claim of the petitioners for payment of gratuity vide their representation dated 11.03.2022 in accordance with the provisions of the Payment of Gratuity Act, 1972, as expeditiously as possible. In the event, the petitioners are entitled for gratuity, the said amount be disbursed to them on or before 15.10.2022.

kps

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)