

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

912 WRIT PETITION NO. 7038 OF 2021

**DILIP SHIVLINGAPPA BOLSHETTE
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...
Advocate for the petitioner : Mr.G.N.Kulkarni (Mardikar)
AGP for Respondent-State : Mr.S.R.Yadav-Lonikar
...

**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 31.03.2022

P.C. :

1. The issue is with regard to the execution of the two Revenue Recovery Certificates [RRCs] issued with reference to one proceeding under Section 33 C (2) of the Industrial Disputes Act, 1947 and one under the Payment of Gratuity Act, 1972.

2. The learned Advocate for the petitioner submits, on instructions, that two judgments delivered by the Competent Authorities have not been set aside by any Superior Court. They have attained finality. Therefore, he is equipped with the two RRCs issued by the Competent

Authority under the Industrial Disputes Act and under the Payment of Gratuity Act.

3. The learned AGP submits that the Tahsildar had been to plot No. E-67, Additional MIDC, Jalgaon. There is some different factory in operation by name Kalash Chem. The learned Advocate for the petitioner submits that the plot is still in the name of the employer at E-67, Additional MIDC, Jalgaon and therefore, the Tahsildar – Revenue Authorities will have to follow the due procedure to initiate action keeping in view the immovable property available.

4. Considering the above and as the employer of the petitioner has not challenged two judgments in his favour on the basis of which RRCs have been issued and has also not challenged the RRCs before any Court, we grant leave to the petitioner to delete respondent no.5. Deletion be carried out forthwith.

5. In view of the above, this petition is disposed off by directing the District Collector, Jalgaon to ensure that the two RRCs are executed against the defaulting entity mentioned in the said two certificates by taking recourse to all the remedies as are permissible in law preferably on or before 30th August, 2022.

6. Civil Application No.529 of 2022 does not survive and stands disposed off.

[S.G.DIGE, J.]

[RAVINDRA V. GHUGE, J.]

DDC