

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6005 OF 2017

Shri Tambe Kaias Popat ...Petitioner
vs.
The Secretary, Maharashtra
Academy of Engg. And Educational
Research S. No. 124 and Ors. ...Respondents

**ALONGWITH
WRIT PETITION NO. 12085 OF 2017**

Shri Deshpande Vivek Shankar ...Petitioner
vs.
The Secretary, Maharashtra
Academy of Engg. And Educational
Research and Ors. ...Respondents

Mr. Sanjay Koban - Advocate for the Petitioners
Mr. Swaroop Karade - for the Respondents

**CORAM : S.V. GANGAPURWALA AND
S. M. MODAK, JJ.**

DATE : 11th JULY, 2022

P. C. :-

1. The Petitioners claim payment of gratuity and interest on the same.
2. Learned counsel for the Petitioners submits that Petitioners in both writ petitions has rendered more than 10 years of service. They are entitled for the gratuity.
3. Learned counsel further submits that the Respondent-Institution has

paid the amount of gratuity with interest @ 8.5% to other employees. The Respondent-institution is discriminating and giving step motherly treatment to the Petitioners.

4. Learned counsel for the institutions submits that the Petitioners approached the authority under the Payment of Gratuity Act and financial position of the institution is not good. The institution would pay principal amount to the Petitioner.

5. It appears that Petitioners have resigned in the year 2016, the payment of the gratuity is not yet paid.

6. In light of the above, we pass the following order:

(i) The Respondent Institution shall pay the amount of gratuity to the Petitioners alongwith interest at the rate of 6% p.a. to the Petitioners.

(ii) The interest shall carry from 01st January 2017 till the date of payment.

(iii) The payment shall be made within two months.

7. Writ Petitions are disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]