

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

WRIT PETITION NO.3185 OF 2023

**ANITA KISHANRAO PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

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Advocate for the Petitioners : Ms.Ranjita Barhate i/by Shri
Barhate Yuvraj R.

AGP for Respondents 1 to 4/State : Shri S.G. Karlekar

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 21st March, 2023

Per Court :-

1. These are thirty Petitioners, who are before us and the following issues are raised:-

(a) Whether, these Petitioners were terminated by the School or whether, they were forced to resign amounting to forceful termination?

(b) Whether, their gratuity amounts have been quantified and not paid?

(c) Whether, the provident fund contributions to the extent of the employer's share and the employee's share, have

been deposited or not?

(d) Whether, the internet allowances have been paid or not?

(e) Whether, the increments have been correctly calculated or not?

(f) Whether, full salary has been paid or there is a shortfall in the salary amounts paid to them?

2. The learned Advocate for the Petitioner submits, on instructions, as under:-

(a) None of these Petitioners have issued any notice to the employer in form-I for claiming the payment of gratuity under the Payment of Gratuity Act.

(b) None of them have lodged applications before the Controlling Authority for computation of their gratuity and payment.

(c) None of them have approached the Provident Fund authorities under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952.

(d) None of them have challenged their purported termination before the competent forum.

3. Considering the above factors, it is obvious that several disputed questions are raised before us and the Petitioners expect this Court to issue a Writ of Mandamus against the private educational society.

4. In view of the above, we are not entertaining this Writ Petition and the same is, therefore, dismissed.

5. Nevertheless, we are keeping all legal remedies available to the Petitioners to approach the appropriate forum so as to seek appropriate directions under the relevant provisions of law.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)