

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 WRIT PETITION NO.987 OF 2023

UTTAM PARUBA KAPRE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

Advocate for Petitioner : Mr. More Ashok A.
AGP for Respondents 1 to 3: Mr. S.K. Tambe

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 30th JANUARY, 2023.**

PER COURT :-

1. The petitioner has put forth prayer clause “b” as under:-
 - “b) Direct the respondents No. 2 & 3, the Ld. District Collector Aurangabad and Tahsildar, Sillod, respectively to proceed with recovering the gratuity amount under recovery certificate dated 01/10/2022 (Outward on 04/10/2022) together with statutory compound interest @ 15% from 01/02/2020 till full realization of the entire amount as an arrear of land revenue together with cost of Rs. 1000/- by seizing/attaching bank account/s/disposing-off the land property of the respondent No. 4 Siddheshwar Cooperative Sugar Factory, Maniknagar Sillod; as granted by the Ld. Controlling Authority vide judgment & order dated 17/03/2022 in Application (PGA) No. 34/2021 and Misc. Recovery (PGA) Application No. 82 of 2022 which issued revenue recovery certificate (RRC) within stipulated period of time and further be pleased to direct the respondents 2 and 3 to disburse the amount to the petitioner.”
2. It is contended that the petitioner has received the Revenue

Recovery Certificate (RRC) in connection with the unpaid gratuity amount. The Controlling authority delivered a verdict under the Payment of Gratuity Act, as there was no appeal before the appellate authority. The petitioner succeeded in getting the R.R.C. from the Controlling Authority (Labour Court).

3 In view of the above, this petition is disposed off, with a direction to respondent No.2 to initiate necessary steps for the recovery of the amounts set out in the RRC alongwith interest, by following the due procedure laid down in the Maharashtra Land Revenue Code, 1966. Respondent No.2 shall ensure that the RRC is satisfied and the amounts are recovered, on or before 31.05.2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/