

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15736 OF 2022

The Municipal Commissioner, Municipal ... Petitioners
Corporation of Pune & Anr.

Versus

Dhananjay Prabhakar Gokhale ...Respondent

Mr. Abhijit P. Kulkarni for the petitioners.

Mr. Jaydeep Deo for the respondent.

CORAM: G. S. KULKARNI, J.

DATED: 31 January 2023

P.C.

1. Against the impugned order dated 20 April, 2022 passed by the Controlling Authority, there is an appeal provided under section 7(7) of the Payment of Gratuity Act, 1972 (for short "**the Act**") before the Appellate Authority. The petitioners would be required to avail of such alternate remedy.
2. The petition is accordingly disposed of with liberty to the petitioners to take recourse to the alternate remedy as provided under the said Act.
3. As the petitioners were prosecuting this petition bonafide, in the event if an appeal is filed within a period of two weeks from today, the same be decided on its merits without an objection as to limitation. The petitioners are also permitted to move an application for interim relief in the said appeal. Let the

same be also filed within two weeks from today. Till appropriate orders are passed on the Interim Application, which be decided within a period of three weeks from the date of its presentation, no coercive action be taken against the petitioners in implementing the order dated 20 April, 2022.

4. All contentions of the parties in the proposed proceedings are expressly kept open.
5. Disposed of in the above terms. No costs.

(G. S. KULKARNI, J)