



- 1 -

wp2145.24.odt

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2145 OF 2024

Shri Anandsing S/o Keshavrao Salokh .. Petitioner

Versus

The State of Maharashtra & others .. Respondents

Mr. Y. G. Bolkar, Advocate holding for Mr. K. B. Jadhav, Advocate
for the Petitioner.

Mr. P. K. Lakhotiya, AGP for the State.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 29th FEBRUARY, 2024.

PER COURT :

1. The Petitioner expects this Court to issue a Writ of Mandamus for recovery of his gratuity amount, pension amount and retirement benefits from Respondent No. 4, which is a private co-operative society (Siddheshwar Shikshak Sevakanchi Sahakari Patsanstha Maryadit, Sillod).

2. The learned AGP submits that respondent No. 4 is not a 'State' under Article 12 of the Constitution of India.

3. In the alternative, the learned Advocate for the Petitioner submits that the Assistant Registrar be directed to ensure that he recovers the amount from Respondent No. 4.

4. The learned AGP submits that the Assistant Registrar has already sent communications dated 15th November, 2022 and 4th December, 2023. He does not have a direct control over the said society and the Petitioner will have to move the appropriate forum for the recovery of the dues from his employer.

5. In view of the above, **this Petition is disposed off.** Needless to state that, the Petitioner has a remedy available under Section 33C(2) of the Industrial Disputes Act or by raising a dispute under Section 91 of the Maharashtra Co-operative Societies Act for recovery of money due from the employer. If such proceedings are initiated within 30 days from today, we hope that the concerned authority would deal with the matter expeditiously.

(R. M. JOSHI)
JUDGE

dyb

(RAVINDRA V. GHUGE)
JUDGE