

VRJ

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

WRIT PETITION NO.1591 OF 2024

VAIBHAV
RAMESH
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Indo Count Industries Ltd.	... Petitioner
V/s.	
Janaba Kallappa Patil & Ors.	... Respondents

Mr. A. K. Jalisatgi with Ms. Divya Wadekar and Mr. Triveninath Ramprasad Yadav for the petitioner.

Mr. Umesh D. Desai for respondent Nos.1 to 6.

CORAM : AMIT BORKAR, J.

DATED : MARCH 7, 2024

P.C.:

1. Arguable questions are raised.
2. Prima facie it appears that the petitioner opting for Voluntary Retirement Scheme (hereafter, “VRS”, for short) accepted amount under VRS. However, subsequently raised a dispute in relation to quantum of amount provided under VRS on the ground that the age of retirement while deciding the quantum of amount was wrongly calculated based on age of retirement at 58 years which ought to have been 60 years. However, in view of law laid down by the Apex Court in the case of **A. K. Bindal and Anr. vs. Union of India and Ors.** reported in (2003) 5 SCC 163 in paragraph 34, the petitioner is entitled to interim relief.

3. Hence, **Rule.**
4. There shall be interim relief in terms of prayer clause (b).

(AMIT BORKAR, J.)