



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

WRIT PETITION NO. 2110 OF 2025

Ahmednagar Education Society
Through Its Secretary Chhaya Ashok Firodia .. Petitioner

Versus

Shubhangi Ganesh Kandekar .. Respondent

Mr. V. N. Upadhye, Advocate for the Petitioner.
Mr. P. V. Barde, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 17th FEBRUARY, 2025.

P. C. :-

. Heard for some time.

2. A challenge in this petition is to an order passed by the learned Member, Industrial Court, Ahmednagar dated 24.09.2024 in an Appeal (P.G.A.) No. 03/2024. The appeal of the petitioner – educational institution came to be dismissed. The learned labour Judge had allowed the application filed by the respondent. In the application, the learned controlling authority under the Payment of Gratuity Act and Judge, 2nd Labour Court, Aurangabad held the respondent to be entitled to gratuity amount of Rs. 5,31,720/- (Rs. Five Lakh Thirty One Thousand Seven Hundred Twenty only) from the present

petitioner/non applicant along with interest at the rate of 10% per annum from the date she expired while in service, till the date of realization. She expired on 31.03.2021. In the appeal, the judgment of the controlling authority came to be confirmed.

3. The learned advocate Mr. Upadhye for the petitioner argued for some time submitting that, both the authorities failed to consider the G. R. dated 31.10.2009.

4. The learned advocate Mr. Barde for respondent points out a judgment passed in Writ Petition No. 1718/2023 filed by this very petitioner against some other respondent. The grounds raised in that petition are similar except the respondent. The writ petition has attained finality and the petitioner has accepted that position. Under such circumstance, in his submission, this petition need not be entertained.

5. After hearing the arguments and after going through the judgment in Writ Petition No. 1718/2023 dated 16.03.2023, this Court finds that, the issue is already covered by the above judgment.

6. At this stage, learned advocate for the petitioner fairly concedes that the judgment in the writ petition is not challenged by the petitioner.

7. Considering the above position, this Court finds that, no purpose would be served by issuing notice. As it is, sole respondent is now represented before the Court.

8. Considering all above, this Court does not find any merit in the writ petition and the same is dismissed. No order as to costs.

9. Civil application, if any, also stands disposed of.

(KISHORE C. SANT, J.)

PS.B.