



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 CIVIL APPLICATION NO. 3787 OF 2024
IN WP/4003/2024

The Vice Chairman Vasantao Naik Marathwada Krushi Vidyapeeth
Parbhani And Another And Another

VERSUS

Pralhad Shankar Khating

WITH
CIVIL APPLICATION NO. 3796 OF 2024
IN WP/3973/2024

The Vice Chancelloer Vasantao Naik Marathwada Krashi Vidyapeeth
Parbhani And Another

VERSUS

Gangubai Rambhau Kale

WITH
WRIT PETITION NO. 4003 OF 2024

The Vice Chancellor Vasantao Naik Marathwada Krashi Vidyapeeth
Parbhani And Another

VERSUS

Pralhad Shankar Khating

WITH
WRIT PETITION NO. 3973 OF 2024

The Vice Chancelloer Vasantao Naik Marathwada Krashi Vidyapeeth
Parbhani And Another

VERSUS

Gangubai Rambhau Kale

WITH
WRIT PETITION NO. 6277 OF 2024

The Vice Chancellor Vasantao Naik Marathwada Krashi Vidyapeeth
Parbhani And Another

VERSUS

Sulochna Bhagoji Dudhare

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WITH

WRIT PETITION NO. 6276 OF 2024

The Vice Chancellor Vasant Rao Naik Marathwada Krishi Vidyapeeth
Parbhani And Another

VERSUS

Rukminbai Damodar Gire

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Mr. Kausalye S. P., Advocate for the Petitioners/Appellants
Mr. Vijay Parag, Advocate for R/Sole

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CORAM : ROHIT W. JOSHI, J.

DATED : 25th JULY 2025

ORAL JUDGMENT :-

1. These petitions arise out of orders passed by the learned Industrial Court rejecting the application for condonation of delay filed by the petitioner in preferring appeal under Section 7(7) of the Payment of Gratuity Act, 1972.

2. It is undisputed that in each of these cases the delay is more than 120 days. In view of Section 7(7) of the Payment of Gratuity Act, 1972 the outer limit for condonation of delay is 120 days.

3. It is well settled that when statute prescribes an outer limit for condonation of delay, delay beyond the said period cannot be

condoned. Apart from this, the only explanation offered by the petitioners is that vide notification dated 16.04.2019 the Competent Authority and Appellate Authority which were earlier Labour Court and Industrial Court respectfully were altered and the same were notified as Assistant Labour Commissioner and Labour Commissioner respectively. It is not the case of the petitioners that in view of the notification, appeal was filed before any wrong forum therefore the explanation also does not merit consideration for delay of inordinate period of over two years in each case.

4. In that view of the matter, the order passed by the learned Industrial Court does not call for any interference.

5. Writ petitions are dismissed.

6. Pending Civil Applications, if any, stand disposed of.

[ROHIT W. JOSHI, J.]