



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

WRIT PETITION NO.12357 OF 2017

1. Mrs. Sarita w/o Dattatraya Deshpande
2. Dattatraya s/o Devidas Deshpande ... **PETITIONERS**

VERSUS

1. The State of Maharashtra
through its Secretary,
Higher and Technical Education
Department, Mantralaya, Mumbai – 32
2. Shri Tuljabhavani Temple Trust,
Tuljapur, District Osmanabad
through its Chairman
3. Shri Tuljabhavani Temple Trust's
Shri Tuljabhavani College of
Engineering, Tuljapur, District
Osmanabad, through its Principal ... **RESPONDENTS**

...

Advocate for the Petitioners : Mr. S.R. Barlinge

AGP for Respondents: Ms. V.N. Patil Jadhav

Advocate for Respondents No.2 and 3 : Mr. Pratap P. Mandlik

...

**CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 06.02.2025

PER COURT:

The petitioners who are the teachers, have been claiming gratuity under the Payment of Gratuity Act, 1972 (the Act).

2. We have heard both the sides.
3. It is a matter of record now that the issue as regards entitlement of a teacher to claim gratuity under the Act has been put to rest by the subsequent decision of the Supreme Court, as has been admitted in the affidavit-in-reply filed on behalf of respondents No.2 and
- 3.

4. As respondents No.2 and 3, in the light of the declaration of the Supreme Court, admit the liability, the writ petition is allowed. Respondents No.2 and 3 shall take a fresh decision and process the papers as expeditiously as possible and in any case, within four weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

habeeb/