

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1834 OF 2025

Sangli District Central Co-operative
Bank Limited

... Petitioner

V/s.

Shri Vithal Dadu Ghadge

... Respondent

*Mr. Bhushan Walimbe with Mr. Mayank Tripathi and Ms. Shalu Jadhav,
Advocates for the Petitioner.*

None for the Respondent.

CORAM : SANDEEP V. MARNE, J.

Dated : 13 February, 2025.

P.C. :

1. After considering the submissions canvassed by Mr. Walimbe, learned counsel appearing for the Petitioner, this Court is of the view that Petitioner cannot seriously dispute payment of principal amount of gratuity. However, there appears to be some merit in the contentions of the Petitioner that the proceedings were initiated by the Respondent-employee before the Controlling Authority after considerable delay. The Respondent was apparently terminated on 8th April, 2005, whereas he filed proceedings before the Controlling Authority in the year 2020. In such circumstances, whether the employer can be saddled with the liability to pay interest on the amount of gratuity becomes questionable.

2. It appears that the amount of gratuity has already been deposited with the Appellate Authority. In that view of the matter, Respondent shall be at liberty to withdraw the principal amount of gratuity from the Appellate Authority. As of now the Appellate Authority shall not permit withdrawal of interest amount.

3. Issue notice to the Respondent returnable on 7th April, 2025. In addition to the Court notice, the Petitioner to serve the Respondent by private service and file affidavit of service.

(SANDEEP V. MARNE, J.)