



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 3014 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Vishnu Natthu Jadhav and ors.]

with

Writ Petition No. 3211 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Ravindra Gunawantrao Vyavahare and ors.]

with

Writ Petition No. 3220 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Ambadas Nivruti Kambale and ors.]

with

Writ Petition No. 3197 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Faijullakha Amirkha Pathan and ors.]

with

Writ Petition No. 3200 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Suresh Aandrao Gore and ors.]

with

Writ Petition No. 3223 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Ajab Rao Vishwanath Thote and ors.]

with

Writ Petition No. 3212 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Yadav Kaniram Chwahan and ors.]

with

Writ Petition No. 3214 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Sundarsing Kewalsing Pawar and ors.]

with

Writ Petition No. 3219 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Bhaudas Ganapat Lohate and ors.]

with

Writ Petition No. 3210 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Pandhurang Narahari Chawhan and ors.]

with

Writ Petition No. 3218 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Shaikh Noor Shaikh Maheeb and ors.]

with

Writ Petition No. 3213 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Subhash Chimana Chawhan and ors.]

with

Writ Petition No. 3207 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager
Subhash P Tejankar ..vs.. Motiram Chandu Chavan and ors.]

with

Writ Petition No. 3198 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Sanjay Lalsing Rathod and ors.]

with

Writ Petition No. 3196 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Vasanta Lalu Mude and ors.]

with

Writ Petition No. 3205 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Balu Devidas Rathod and ors.]

with

Writ Petition No. 3206 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Subhash Gobara Chawhan and ors.]

with

Writ Petition No. 3221 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Vijan Dhondba Kalkar and ors.]

with

Writ Petition No. 3224 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Baburao Dawada Rathod and ors.]

with

Writ Petition No. 3216 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Ganesh Dharma Chawhan and ors.]

with

Writ Petition No. 3204 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Namdeo Salaba Ganjewar and ors.]

with

Writ Petition No. 3209 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Karimkha Chhotekha Pathan and ors.]

with

Writ Petition No. 3215 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Arun Balawant Kshirsagar and ors.]

with

Writ Petition No. 3217 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Bhaurao Tukaram Ghongade and ors.]

with

Writ Petition No. 3201 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Sk. Sadik Sk. Akbar and ors.]

with

Writ Petition No. 3199 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Bhagwan Madhav Pandav and ors.]

with

Writ Petition No. 3208 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Pralhad Midhu Rathod and ors.]

with

Writ Petition No. 3202 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Devidas Thavara Chawhan and ors.]

with

Writ Petition No. 3195 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Gangadhar Digambar Chandale and ors.]

with

Writ Petition No. 3222 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Laxman Badhu Rathod and ors.]

with

Writ Petition No. 3203 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Prabhakar Namdeorao Nagpurkar and ors.]

with

Writ Petition No. 1870 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Prakash Ramdas Rathod (dead) thr. LRs. Smt Mamta P. Rathod and ors.]

with

Writ Petition No. 2452 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Rajesh Narayan Chawhan and ors.]

with

Writ Petition No. 2443 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Shobhabai Keshav Babhulkar and ors.]

with

Writ Petition No. 2457 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Ramrao Laxman Suryawanshi and ors.]

with

Writ Petition No. 2456 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Suresh Rajabhau Joshi and ors.]

with

Writ Petition No. 2451 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Bhikaji Marotrao Dakhore and ors.]

with

Writ Petition No. 2444 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Banu Rupla Jadhav and ors.]

with

Writ Petition No. 2440 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Prakash Dewala Rathod and ors.]

with

Writ Petition No. 2438 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Khandu Shamrao Chawhan and ors.]

with

Writ Petition No. 2445 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Sahebrao Natthuji Pulate and ors.]

with

Writ Petition No. 3021 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Abdul Riyaz Abdul Sattar and ors.]

with

Writ Petition No. 2454 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Shivaji Tyambakrao Deshmukh and ors.]

with

Writ Petition No. 2441 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Sahebrao Somala Chawhan and ors.]

with

Writ Petition No. 2450 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Prakash Bhagwat Khandare and ors.]

with

Writ Petition No. 2448 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Shankar Kisan Kadade and ors.]

with

Writ Petition No. 2439 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Govinda Gopa Jadhav and ors.]

with

Writ Petition No. 2447 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Shankar Namdeo Jagtap and ors.]

with

Writ Petition No. 2449 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Baburao Raju Rathod and ors.]

with

Writ Petition No. 2459 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Gurusing Parshram Chawhan and ors.]

with

Writ Petition No. 2446 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Tanaji Dhondiba Mahulkar and ors.]

with

Writ Petition No. 2442 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Amrutrao Dadarao Deshmukh and ors.]

with

Writ Petition No. 2458 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Shishankar Tukaram Kotawar and ors.]

with

Writ Petition No. 2455 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Sudama Ramjatan Prasad and ors.]

with

Writ Petition No. 2453 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Shaikh Afsar Shaikh Diwan and ors.]

with

Writ Petition No. 2460 of 2025

[The Maharashtra State Sahakari Bank Ltd., Mumbai, Branch at Mahal, Nagpur through its Jt. Manager Subhash P. Tejankar ..vs.. Bhagwan Ganpat Jadhav and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Mohammad Ateeque Abdul Mushtaque with Mr. B. S. Joshi, Advocates
for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 30-06-2025

The facts are identical in all these writ petitions.
Therefore, they are decided together.

2. The petitioner – bank is aggrieved by the order dated 18-3-2024 passed by the Industrial Court, Yavatmal thereby refusing to condone delay in preferring the appeal against the order passed by the controlling authority i.e. Labour Court.

3. Having heard learned counsel for the petitioner and having gone through the order, it appears that the Industrial Court has refused to condone delay on the count that the appeal under Section 7(7) of the Payment of Gratuity Act, 1972 is required to be filed within 60 days with a rider of further extension of 60 days.

4. The Industrial Court referred to the judgment passed by this Court in the case of ***Chief Executive Officer, Zilla Parishad, Yavatmal Vs. Shriram Hanumant Meshram*** in ***Writ Petition No. 6111/2016*** wherein the Court held that Section 5 of the Limitation Act does not apply to the appeals filed under Section 7(7) of the Payment of Gratuity Act. Accordingly, the Court held that the Industrial Court has no power to condone the delay beyond the stipulated period of 120 days.

5. In all these petitions, the appeal has been filed beyond the period of 120 days. The law as stated above is well settled. The Industrial Court is, therefore, right in rejecting the application. No interference is, therefore, called for in supervisory jurisdiction under Article 227 of the Constitution of India. The petitions are thus liable to be dismissed.

6. At this stage, learned counsel for the petitioner submits that the delay, if not condoned, the petitioner will be not able to recover the amount from the concerned sugar factory. This ground, to my mind, is not available to the petitioner to seek condonation of delay. The officials of the petitioner should be more diligent in such cases. Nonetheless Court is not oblivious to such negligent approach.

7. In the case of ***State of U. P. & Ors. V/s Ashwani Kumar Mishra in Special Leave Petition (Civil) Diary No.(s). 19834/2020*** the plea put-forth for condonation of delay before the Supreme Court was, getting departmental approval. The Supreme Court held that such kind of excuses are no more admissible in view of the judgment in the case of ***Post Master General & Ors. V/s Living Media India Ltd. & Anr. [(2012) 3 SCC 563]***. The Supreme Court, while dismissing the Special Leave Petition, gave liberty to the State of U. P. to recover the loss from the Officers responsible for the delay in filing the Special Leave Petition, if they are so advised.

8. Similar such order has been passed by the Supreme Court in the case of ***Deputy Conservator of Forests V/s Timblo Irmaos Ltd. & Ors. in Special Leave Petition (Civil) Diary No(s). 19059/2020***. Before passing such order to recover costs from the erring officer, the three Judges Bench of the Court has observed as under :

“We have dealt with the issue of Government authorities in approaching Courts belatedly as if

the Statute of Limitation does not exist for them. While referring to some reasons given for insufficiencies, we observed that the parties cannot keep on relying on judicial pronouncements for a period of time when technology had not advanced and a greater leeway was given to the Government, (Collector, Land Acquisition, Anantnag & Anr. (supra). This situation no more prevail and this position had been elucidated by the judgment of this Court in office of the Chief Post Master General & Ors. V/s Living Media India Ltd. & Anr. (2012) 3 SCC 563.”

9. Thus the Supreme Court has, time and again, deprecated the practice of keeping the file pending for several months on the ground of administrative exigencies. Present case is yet another example of casual conduct. The petitioner may, therefore, recover the losses from the officers responsible.

10. The petitions are dismissed in above terms.

(Anil L. Pansare, J.)