



38.wp.1267.2024.odt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1267 OF 2024
(The State of Maharashtra & Ors. V/s Mehrunnisa Chand Khan)

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. P. T. Joshi, AGP for Petitioners.
Mr. N. S. Warulkar, Advocate for Respondent.

CORAM : R. M. JOSHI, J.
DATE : JUNE 09, 2025.

. Heard.

2. The learned Counsel for Respondent has raised issue with regard to maintainability of the Petition on the ground that the Petitioner has not challenged the Judgment and order dated 22/9/2021 passed by the Controlling Authority under Payment of Gratuity Act, Labour Court No.3, Nagpur within a period of sixty days, as contemplated under Section 7(7) of the Payment of Gratuity Act, 1972.

3. It is his submission that period of limitation of sixty days can be extended upto next sixty days i.e. outer limit to file the appeal under Section 20 of the Act. It is his submission that appeal is not filed in time to challenge the impugned order. He has

placed reliance on the order dated 5/2/2025 passed by the Co-ordinate Bench of this Court in Writ Petition No. 8302/2023.

4. The order passed by the Controlling Authority under the Act is dated 22/9/2021. The maximum period of limitation for preferring an appeal against this order has come to an end after 120 days thereof. Admittedly, there is no appeal filed within limitation. In such circumstances, question of entertaining the Writ Petition, which has been filed after 120 days does not arise. The issue involved in this Petition is covered by the Judgments of the Co-ordinate Bench of this Court in the cases of *Nanded Zilla Dekhreh Sahakari Sanstha Maryadit V/s Narhar Pralhadrao Kulkarni reported in 2017(3) ALL MR 827 and Municipal Council, Achalpur V/s Jagannath s/o Vishwanath Tathod in Writ Petition No. 911/2017 dated 27/9/2019*. This Court does not wish to take any different view.

5. Consequently, there is no merit in the present Petition and the same stands dismissed.

(R. M. JOSHI, J.)