



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.572 OF 2026**

The Jalna District Central Co-Operative Bank,
Ltd. Jalna, Head Office,
Santoshi Mata Mandir Road,
Jalna, Dist: Jalna,
Through its Managing Director,
Ashutosh s/o Jaywantrao Deshmukh,
Age: 54 Years, Occu: Service as Managing Director,
The Jalna District Central Co-Operative Bank,
Ltd. Jalna. ..Petitioner

Versus

Ramesh s/o Gulabsing Rajput,
Age: 68 Years, Occu: Retired,
R/o: Vaibhav Colony, Bhokardan Naka, Jalna,
Tq: Jalna, Dist: Jalna. ..Respondent

**AND
WRIT PETITION NO.573 OF 2026**

The Jalna District Central Co-Operative Bank,
Ltd. Jalna, Head Office,
Santoshi Mata Mandir Road,
Jalna, Dist: Jalna,
Through its Managing Director,
Ashutosh s/o Jaywantrao Deshmukh,
Age: 54 Years, Occu: Service as Managing Director,
The Jalna District Central Co-Operative Bank,
Ltd. Jalna. ..Petitioner

Versus

Dattu s/o Jayawantrao Pande,
Age: 59 Years, Occu: Retired,
R/o: Dagadwadi, Post: Danapur,
Tq: Bhokardan, Dist: Jalna. ..Respondent

**AND
WRIT PETITION NO.581 OF 2026**

The Jalna District Central Co-Operative Bank,
Ltd. Jalna, Head Office,
Santoshi Mata Mandir Road,
Jalna, Dist: Jalna,
Through its Managing Director,
Ashutosh s/o Jaywantrao Deshmukh,

Age: 54 Years, Occu: Service as Managing Director,
The Jalna District Central Co-Operative Bank,
Ltd. Jalna. ..Petitioner

Versus

Jalindar s/o Yamaji Jadhav
Age: 67 Years, Occu: Retired,
R/o: Plot No.01, Vipul Complex,
Old Mondha, Jalna. ..Respondent

AND
WRIT PETITION NO.587 OF 2026

The Jalna District Central Co-Operative Bank,
Ltd. Jalna, Head Office,
Santoshi Mata Mandir Road,
Jalna, Dist: Jalna,
Through its Managing Director,
Ashutosh s/o Jaywantrao Deshmukh,
Age: 54 Years, Occu: Service as Managing Director,
The Jalna District Central Co-Operative Bank,
Ltd. Jalna. ..Petitioner

Versus

Sudam s/o Rambhau Gawali,
Age: 68 Years, Occu: Retired,
R/o: T Shani Mandir, Mondha, Partur
Tq: Partur, Dist: Jalna. ..Respondent

AND
WRIT PETITION NO.705 OF 2026

The Jalna District Central Co-Operative Bank,
Ltd. Jalna, Head Office,
Santoshi Mata Mandir Road,
Jalna, Dist: Jalna,
Through its Managing Director,
Ashutosh s/o Jaywantrao Deshmukh,
Age: 54 Years, Occu: Service as Managing Director,
The Jalna District Central Co-Operative Bank,
Ltd. Jalna. ..Petitioner

Versus

Sandu s/o Supadasing Pardeshi,
Age: 68 Years, Occu: Retired,
R/o: Mehgaon, Post: Dhawda,
Tq: Bhokardan, Dist: Jalna. ..Respondent

Mr. S. S. Tope, Advocate for Petitioner.

Mr. S. K. Chavan h/f Mr. G. K. Thoke, Advocate for Respondents.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 28th JANUARY, 2026.

JUDGMENT:-

1. Rule. Rule made returnable forthwith. By consent of parties, matters are taken up for final hearing at the admission stage.

2. The present writ petitions takes exception to order dated 06.10.2025 passed by Industrial Court, Jalna in Complaints ULP filed under Item Nos.9 and 10 of Schedule IV of MRTU and PULP Act, 1971, whereby petitioner-Co-operative Bank has been directed to pay all due amount of Dearness Allowance to complainants till date of their retirement alongwith interest @ 6% per annum from date of complaints till realization.

3. Mr. Sambhaji Tope, learned Advocate appearing for petitioner would submit that petitioner-Bank has resolved to freeze payment of Dearness Allowance in year 2010, which was never challenged by complainants. The present complaints are filed belatedly after reaching age of superannuation. There has been inordinate delay in filing complaints. The petitioner-Bank was bound to implement directives given by NABARD, whereby restrictions were imposed for maintenance cost @ 2%. Apart from that, there was agreement between Bank and representatives of

employees. As such, employees are estopped from raising further claim for release of Dearness Allowance.

4. Per contra, Mr. Chavan, learned Advocate appearing for respondents supports impugned order. He would submit that earlier complaints of similarly situated employees of Bank were allowed by Industrial Court. The Bank had assailed those complaints in Writ Petition No.13353/2025 alongwith companion matters. This Court dismissed Writ Petitions by common order dated 19.12.2025 upholding relief granted by Industrial Court. The order passed by this Court is not yet challenged before Supreme Court of India. Mr. Chavan would further rely upon judgment and order of this Court in Writ Petition No.7027/2018 alongwith companion matters decided on 30.04.2019, whereby similar issue regarding non-payment of Dearness Allowance to employees of Parbhani District Central Co-operative Bank Limited has been considered and decided by this Court upholding claim of employees.

5. Having considered submissions advanced by learned Advocates appearing for respective parties and on perusal of record tendered into service, it can be observed that respondents were permanent employees of petitioner-Bank and they have been retired from services on attaining age of superannuation. The petitioner-Bank had withhold payment of Dearness Allowance by passing general Resolution. The respondents approached

Industrial Court alleging unfair labour practices against petitioner-Bank and seeking directions for payment of Dearness Allowance till date of their retirement. In this backdrop, reference can be given order dated 19.12.2025 passed by this Court in respect similarly situated employees in a group of Writ Petitions filed by petitioners, wherein this Court rejected all objections of petitioner-Bank to order passed by Industrial Court. This Court categorically held that unilateral stoppage/freezing of Dearness Allowance amounts to change in service condition, contrary to Section 9A of Industrial Disputes Act, 1947.

6. Pertinently, very same defence was raised on behalf of Parbhani District Central Co-operative Bank while defending complaints filed by similarly situated employees. This Court in Writ Petition No.7027/2018 decided on 30.04.2019 alongwith companion matters, rejected objections of Bank upholding entitlement of employees to receive Dearness Allowance. The order passed by this Court in case of Parbhani District Central Co-operative Bank was unsuccessfully challenged before Supreme Court. As such, it has attained finality.

7. In light of aforesaid legal and factual backdrop, this Court has no reason to deviate from opinion expressed by co-ordinate Benches of this Court upholding rights of similarly situated employees while rejecting contentions of petitioner-Bank.

8. Although Mr. Tope, learned Advocate appearing for petitioner endeavours to factually distinguish present Writ Petitions from earlier Writ Petitions decided by this Court, there is no force in such contentions. Mr. Tope further sought to rely upon agreement dated 07.05.2019. However, it was neither pleaded before Industrial Court nor had been placed for consideration during course of hearing of complaints. No explanation is tendered as to why said agreement was not put into service. Pertinently, looking to date of agreement i.e. 07.05.2019, it can be observed that said agreement has been entered into by Employees' Union after retirement of respondents. As such, it would be ineffective so far as rights of respondents to receive Dearness Allowance. Hence, Writ Petitions sans merit.

9. In result, Writ Petitions stand dismissed.

10. Rule stands discharged.

(S. G. CHAPALGAONKAR)
JUDGE