



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 6626/2025

(MAHARASHTRA STATE ROAD TRANSPORT CORPORATION, AMRAVATI **VERSUS** SUNITA
 DEVIDAS GEDAM)

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

Court's or Judge's order

Shri S.C. Mehadia, Counsel for the petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : JANUARY 12, 2026

Heard.

2. By this petition, the petitioner-Maharashtra State Road Transport Corporation, Amravati (for short, 'the Corporation') has challenged the orders passed by the Controlling Authority and the Appellate Authority under the Payment of Gratuity Act, 1972.

3. The primary contention of the counsel for the petitioner is that the respondent-Employee has indulged in some misconduct and the gratuity was temporarily forfeited, however after it was found to be payable, an amount of Rs.2,30,442/- was paid to the employee and therefore the question of payment of interest upon the said amount did not arise. He submitted that after the proceedings against the employee were disposed of, the Corporation had cleared the dues and therefore the interest ought not to have been saddled upon the Corporation.

4. A perusal of the orders passed by the Controlling Authority and Appellate Authority clearly show that the entitlement of the

deceased employee for gratuity and interest on the said amount is duly considered by both the Authorities. It has to be noted that the employee had rendered about thirty four years of service and was entitled for his claim for gratuity. The Appellate Authority has properly considered the controversy and recorded the reasons in paragraph 13 of the impugned order, which is reproduced below:-

“13. The husband of the applicant/respondent retired on 30.06.2007. As discussed above, the applicant/respondent is entitled to gratuity of Rs.2,43,996/-. Non-applicant/appellant has paid Rs.2,30,442/- to the applicant on 11.08.2020. Therefore, appellant/non-applicant is liable to pay interest @ 10% on remaining amount of gratuity Rs.13,554/- from 01.07.2007 till realisation. The Controlling Authority has rightly awarded the interest. In view of this, I do not find substance in the submission of the ld. Advocate for appellant/non-applicant. Hence, I answer point no.1 in the affirmative.”

5. On a perusal of the orders passed by the Controlling Authority and the Appellate Authority, I find the same to be well reasoned and in tune with the position of law. The Authorities have given due consideration to the factual and legal aspects of the matter. No perversity is seen with the impugned orders. In view of above, no indulgence is warranted under Article 227 of the Constitution of India with the impugned orders. The writ petition is dismissed with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)