



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

WRIT PETITION NO. 6868 OF 2025

The Principal, Gram Sewak Training Center, Tah. & Dist. Amravati and anr.
Vs.

Gajanan s/o Laxmanrao Chauhan and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. M.A. Sable, Advocate for petitioners.
Mr. C.A. Babrekar, Advocate for respondent No.1.
Mr. H.R. Dhumale, AGP for respondent Nos.2 & 3/State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 04.02.2026

Heard learned counsel for the petitioners.

2. Petitioners' challenge is to order dated 04.09.2025 (also mentioning date as 10.07.2025) Annexure-6 to the petition, passed by the Controlling Authority under Payment of Gratuity Act, 1972 directing issuance of recovery certificate only for recovery of interest @10% on the amount of gratuity of Rs.10 Lakhs, from 01.11.2018 till its actual realization.

3. Learned counsel for the petitioner points out that the order of recovery certificate is passed in accordance with the earlier order passed by the Controlling Authority dated 14.02.2022, which was

upheld by Appellate Authority by order dated 12.12.2023. He submits that the orders passed by the Controlling Authority and the Appellate Authority are already subjected to challenge vide Writ Petition No.7707/2025, which is pending.

4. He submits that main grievance of the petitioner is the recovery certificate dated 15.12.2025 issued by the Tahsildar, Amravati, which is with respect to an amount of Rs.10 Lakhs along with interest @ 10%, which is contrary to the order dated 04.09.2025 (Annexure-6), by which the recovery certificate was granted only with respect to the interest part.

5. It has to be noted that the grievance of the petitioner is about the recovery certificate which is a consequence of the orders passed by the Controlling Authority and Appellate Authority. Since these orders are already subjected to challenge vide Writ Petition No.7707/2025, the petitioner is entitled to raise challenge to the order dated 04.09.2025 (Annexure 6) passed by the Controlling Authority directing issue of recovery certificate and the actual recovery certificate granted by Tahsildar, by raising appropriate challenge in the pending writ petition.

6. As the petitioner submits that the authorities are likely to take coercive action against the petitioners based on the recovery certificate dated 15.12.2025 issued by the Tahsildar, it is directed that no coercive action be initiated against the petitioners based on the said recovery certificate for a period of fifteen days from today. The petitioners to take necessary steps in the meantime.

7. In view of the liberty granted to the petitioners to raise appropriate challenge, the writ petition is disposed of.

8. The authenticated steno copy be provided to the parties to act upon.

(Prafulla S. Khubalkar, J.)