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

WRIT PETITION NO.710 OF 2026

DISTRICT MANAGER, SEED PROCESSING PLANT, SHIVNI, AKOLA
VERSUS
USHA DADARA JAGTAP AND ANOTHER

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	*Court's or Judge's orders*

Mr. K.S. Malokar, Advocate for Petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATED : 27th JANUARY 2026

PER COURT :-

1. Heard learned Advocate for the petitioner.

2. The petitioner's challenge is to the order dated 11.11.2024, passed by the Controlling Authority under the Payment of Gratuity Act, 1972, in the proceedings bearing P.G.A. Case No.90 of 2024 and the order dated 23.09.2025, passed by the Appellate Authority under the Payment of Gratuity Act, 1972, in the proceedings bearing P.G.A. No.06 of 2025, directing grant of gratuity to respondent No.1 employee.

3. Learned Advocate for the petitioner submits that although respondent No.1 worked for about 24 years, but she has not reported

to the duties since the year 2004 and therefore, the claim for gratuity ought not to have been entertained. He submits that the authorities failed to consider the conduct of the employee which made her disentitled to claim gratuity. He also raised the issue of delay on the part of employee in raising the claim for gratuity.

4. A perusal of the impugned orders passed by the controlling authority as well as appellate authority shows that the authorities have given due consideration to the fact that the employee has worked for about 24 years and thus, she became entitled for gratuity. There is no justifiable reason to deny the rightful claim of the employee for her gratuity.

5. As regards the contention of the learned Advocate for the petitioner about the delay in filing the application, the impugned orders record that the applicant has narrated the reasons for delay in the application that she has relied upon the assurance of the employer and was not aware about the provisions of Gratuity Act, requiring to file the application immediately. The authorities have found that the justification for delay is acceptable and no perversity is seen with this approach.

6. A perusal of the reasons recorded by the authorities shows that the orders are well reasoned. There is no perversity with

the impugned orders. It has to be noted that the employee is entitled for gratuity in view of 24 years of service undisputedly rendered by her. As such, no interference is warranted with the impugned orders. Hence, the writ petition is dismissed with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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