

ITEM NO.4 Court 6 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 9411/2020

(Arising out of impugned final judgment and order dated 13-01-2020 in WP No. 19/2020 passed by the High Court Of Judicature At Bombay At Nagpur)

THE MAHARASHTRA AGRO
INDUSTRIES DEVELOPMENT CORPORATION LIMITED Petitioner(s)

VERSUS

SADANAND MADHUKAR JOSHI Respondent(s)

(FOR ADMISSION and I.R. and IA No.74861/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.74870/2020-EXEMPTION FROM FILING AFFIDAVIT)

WITH SLP(C) No. 9461/2020

(FOR ADMISSION and I.R. and IA No.75706/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.75712/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.76243/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.76242/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 29-09-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Sunil Fernandes, AOR
Mr. Mahesh Sukla, Adv.
Ms. Nupur Kumar, Adv.
Mr. Zeeshan Diwan, Adv.
Mr. Prasatut Dalvi, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the petitioner has drawn our attention to the Circular dated 21st July, 2016 of the Maharashtra Agricultural Industries Development Corporation Limited to contend that the

entitlement to pay gratuity arose from that date and thus, the interest should not have been granted from 3rd December, 2014 but from expiry of 30 days from 21st July, 2016.

On our query as to whether this issue has been dealt with in the impugned order, learned counsel fairly states it is not so and apparently this has so arisen because no specific ground in this behalf was raised before the High Court though the same is sought to be urged in the Special Leave Petition. Learned counsel further submits that such a ground has been raised in other matters before the High Court which are still pending consideration.

We are of the view if such a issue has been raised in certain other petitions, they would naturally be considered in those matters but that cannot give rise to consideration of this issue in the present proceedings and dragging a retired person to this Court for such a small issue.

We thus, dismiss these Special Leave Petitions but leave the aforesaid question to be considered in such cases where the matters has been so raised.

Pending applications shall also stand disposed of.

(ASHA SUNDRIYAL)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR