

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.10518-10519 OF 2017

[@ SPECIAL LEAVE PETITION (C) NOS. 33360-33361/2015]

PANDURANG DNYANDEV HANKARE

APPELLANT (S)

VERSUS

RAJSHREE SHAHU GOVERNMENT SERVANTS
CO-OPERATIVE BANK LTD.

RESPONDENT (S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. The appellant has come up before this Court aggrieved by the interim order dated 21.07.2015 passed in Writ Petition Nos.4961/2014 and 4963/2014. It is not in dispute that those writ petitions are pending before the High Court. The High Court had, as per the interim order, directed the Labour Court to take a decision subject to the decision of the writ petitions before it.

3. We are informed that the Labour Court has taken such a decision. Mr. Vinay Navare, learned counsel appearing for the respondent submits that the said decision is also under challenge before the High Court.

4. Mr. J.P. Cama, learned senior counsel appearing for the appellant submits that at least the respondent/Bank can be directed to pay the undisputed portion of gratuity.

5. In the above circumstances, we are of the view that the matters pending before the High Court need to be disposed of.

6. Accordingly, these appeals are disposed of with a request to the High Court to dispose of the writ petitions expeditiously, preferably within a period of six months from the date of receipt of a copy of this judgment.

7. There will be a direction to the respondent/Bank to disburse the gratuity payable to the appellant up to 15.10.1993, within two weeks from today.

8. Needless to say that the payment of gratuity is also without prejudice to the contentions available to the respondent.

9. Pending applications, if any, shall stand disposed of.

10. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

NEW DELHI;
AUGUST 16, 2017.

ITEM NO.4

COURT NO.6

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).33360-33361/2015

(Arising out of impugned final judgment and order dated 21-07-2015 in WP No. 4961/2014 21-07-2015 in WP No. 4963/2014 passed by the High Court of Bombay)

PANDURANG DNYANDEV HANKARE

PETITIONER(S)

VERSUS

RAJSHREE SHAHU GOVERNMENT SERVANTS CO-OPERATIVE
BANK LTD.

RESPONDENT(S)

(WITH APPLN(S) FOR
IA 52722/2017 PERMISSION TO FILE ADDITIONAL DOCUMENTS AND
IA 52725/2017 FOR SUMMONING ORIGINAL RECORD)

Date : 16-08-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. J.P. Cama, Sr. Adv.
Mr. Krishan Kumar, AOR

For Respondent(s) Mr. Vinay Navare, Adv.
Ms. Gwen K.B., Adv.
Ms. Abha R. Sharma, AOR

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

Leave granted.

The appeals are disposed of in terms of the signed judgment.

(NARENDRA PRASAD)
COURT MASTER

(RENU DIWAN)
ASST. REGISTRAR

(Signed "Non-Reportable" Judgment is placed on the file)