



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1647 OF 2024

Managing Director Mahanand Dairy Western Express Way Goregaon
East And Another

VERSUS

Commissioner Milk Department And Others

Mr.G.G.Suryawanshi, Advocate for petitioners

Mrs.M.L.Sangit, AGP for State

Mrs.A.N.Ansari, Advocate for respondent no.4

CORAM : AJIT B. KADETHANKAR, J.

DATE : MARCH 27, 2026

ORDER :-

After fighting for a long for five years, the respondent, a retired employee of the petitioner would secure order from learned Industrial Court, Latur, whereby encashment of his leave of 300 days was directed to be paid to him with interest at the rate of 6% per annum till date of its realisation. Said order is taken up in challenge by the respondent nos.3 and 5 vide this petition. There is no preventive order passed by this court against the impugned judgment and order. The order and directions issued by learned Industrial Court are also not implemented by the petitioners.

2. Learned counsel for the petitioners would submit that the authorities were in the process of obeying the order passed by the Industrial Court at Clause No.3 of the operative order. A proposal was also sent to the Office of Accountant General, Nagpur. However, the said proposal is remitted back. Learned counsel for the petitioners places on record copies of the communications dated 06.01.2026 and 18.03.2026, addressed by the Maharashtra Rajya Sahakari Dudh Mahasangh Maryadit to the Accountant General of State of Maharashtra. The documents reveal that the Accountant General, Nagpur, never received any proposal from the petitioners to sanction the leave encashment amount. With these communications, learned counsel for the petitioners instructed by his client would submit that there is no fault on the part of the petitioners – authorities for noncompliance of the order passed by the Industrial Court.

3. It is evident that whatever documents are produced on record today, those are only from the month of January 2026 and not prior to that. It is evident that the petitioners have not taken any step for scrupulous compliance of the order passed by the Industrial Court. The communication dated 18.03.2026 clearly shows that no proposal for giving any benefit to the respondent was filed by the

petitioners. Such conduct of the petitioners is highly condemnable. The petitioners shall deposit the amount payable to the respondent/claimant in this court, within six weeks from today. If such amount is not deposited, the petitioner no.2 shall personally remain present in this court. Stand over to 08.05.2026.

[AJIT B. KADETHANKAR, J.]

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