

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**WRIT PETITION NO. 6832 OF 2019**

(Forest Development Corporation of Maharashtra Ltd., and anr. Vs. Kachru Kolba Kurve)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Mr. R.S. Giripunje, Advocate for petitioners.

**CORAM : SUNIL B. SHUKRE, J.**

**DATE : 18.10.2019.**

Heard learned counsel for the petitioners. It is his submission that the District Court has wrongly calculated the delay which has occurred in this case. He submits that as per Section 18 of the Payment of Gratuity Act, 1972, the appeal is required to be filed within 60 days and after the expiry of 60 days, the delay upto a further period of 60 days can be condoned by the Court. He submits that in the present case, the order which was impugned in the appeal was received by the petitioners on 21.01.2016 and the appeal was filed on 12.05.2016 and thus the total period of 120 days had not expired in the present case.

3. Relying upon the aforesaid submission of the learned counsel for the petitioners, I find that this would be a fit case for issuance of notice to the respondent.

4. Issue notice to the respondent, returnable after four weeks.

**JUDGE**

*Prity*