IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

CONT. PETITION NO. 614 OF 2025
IN
WRIT PETITION NO. 5382 OF 2025

Jagannath Nivruti Pawar ...Petitioner

Versus

Delstar Private Limited and Others ...Respondents

Adv. Mulla Shamma Nabi for the Petitioner.
Mr. Kalpesh U. Patil for Respondent No.4.
Mrs. S. D. Vyas, Addl. GP a/w Mrs. M. P. Thakur, AGP for the Respondent-State.
Mr. Atul Mhetre, Sub Divisional Officer, Karad, Mrs. Kalpana Dhawale, Tahsildar Karad, Ms. Priyanka Ghorpade, Law Officer, District Collector Officer, Mr. Nitin Kavale, Assistant Labour Commissioner, are present in the Court.

CORAM : SHARMILA U. DESHMUKH &
ABHAY J. MANTRI, JJ.

DATE : NOVEMBER 27, 2026

P. C. :

1. By the present Petition, contempt is alleged of the order dated 16th June 2025, by which the Petition came to be disposed of by this Court directing Respondent Nos.8 to 13 to decide the recovery proceedings filed by the Petitioner for payment of gratuity within a period of ten weeks.

2. Learned AGP appearing for Respondent Nos.8 to 14 herein would submit that efforts were taken for finding out the properties of the Company so that the same can be attached and sold and the recovery proceedings can be taken to its logical end as directed by the order of 16th June 2025. She submits that despite due diligence, the Respondent authorities were unable to find any properties of the Company. She would further submit that in the process, the private property of the Directors came to be attached, which was the subject matter of challenge in the connected Writ Petition, and this Court has stayed the proceedings insofar as the property of Directors is concerned.

3. Learned counsel appearing for the Managing Director of the Company has tendered an affidavit and would submit that the Company does not own any immovable property and does not have any assets except the bank balance, which is also frozen for VAT dues. The affidavit tendered by the Managing Director is taken on record.

4. Considering the material on record, as the Respondent - Authorities are disabled due to absence of any assets of the Company to decide the recovery proceedings filed by the Petitioners for payment of gratuity, we do not find any wilful or intentional non-compliance of the order dated 16th June 2025. Resultantly, we are not inclined to exercise the contempt jurisdiction. The Contempt Petition is disposed of.

5. Needless to clarify that it is open for the Petitioners to adopt appropriate proceedings in the event the assets of the Company are found.

[ABHAY J. MANTRI, J.] **[SHARMILA U. DESHMUKH, J.]**