

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

WRIT PETITION NO. 6103 OF 2014

Madhukar Janardhan Gurav .. Petitioner

Versus

Municipal Council, Faizpur .. Respondent

Shri Santosh S. Jadhavar, Advocate for the Petitioner.
Shri M. M. Patil Beedkar, Advocate for the Respondent.

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATE : 09TH JUNE, 2015.

PER COURT :

. We have heard Mr. Jadhavar, the learned counsel for the petitioner at length. The learned counsel submits that, the respondent be directed to pay an amount of Rs. 33,666/- along with interest at the rate of 16% per annum on the same from April 2009 towards arrears of pension in view of revision of pension as per recommendations of 6th Pay Commission. The learned counsel submits that, 6th Pay Commission came into effect from 01.01.2006, whereas the benefit is given from 01.04.2009. According to the learned counsel, the petitioner is required to be given benefit of pension from 01.01.2006 and accordingly the respondent be directed to pay arrears along with interest at the rate of 16% per annum.

2. Mr. Patil, the learned counsel for the Municipal Council submits that, though the 6th Pay Commission came into effect from 01.01.2006, however same was implemented from 01.04.2009. For the purpose of pension, as per the resolution passed, the actual benefit is to be given from 01.04.2009.

3. We have considered the submissions canvassed by the learned counsel for respective parties. The resolution passed by the Municipal Council (Exhibit - A) is not subject matter of challenge before this Court. Moreover, it is policy decision taken by the Municipal Council depending upon the financial capability about the benefits to be given for the purpose of pension from 01.04.2009.

4. We have also considered the said aspect in Writ Petition No. 9839 of 2012 vide judgment and order dated 10.09.2014.

5. Considering the aforesaid aspects of the matter, no case for interference is made out. The writ petition as such is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]