IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7898 OF 2014

Ramrao Dagdu Damodhar and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 7881 OF 2014

Gangaram Narsingh Muglikar and others.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

WITH
WRIT PETITION NO. 8302 OF 2014

Narayan Nagnatrao Sonkamble .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vitthal G. Salgare, Advocate for Petitioners in all matters.
Shri D. B. Bhange, A.G.P. for the Respondent No. 1 in all matters.
Shri D. P. Bakshi, Advocate for Respondent Nos. 2 and 3 in all matters.

CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.
DATE : 07TH JULY, 2015.

PER COURT :

. The petitioners in these writ petitions seek arrears on account of revised pay fixation under 6th Pay Commission as per Government Resolution dated 05.05.2009 and 27.08.2009. All these petitioners have retired prior to 01.01.2006. All these petitioners are retired employees of respondent Nos. 2 and 3. According to the learned counsel for petitioners the said arrears were to be paid in five equal installments in five years. All these persons are required to be paid the amount as laid down in Government Resolutions. The persons who retired prior to 01.01.2006 were required to be paid the amount by July 2013 and those who retired subsequently were required to be paid the amount before 2014.

2. Mr. Bakshi the learned counsel for respondent Nos. 2 and 3 submits that it is only because of financial problems the amount is not paid. The respondents are not denying their liability to pay the amount to petitioners. But it is only because of financial problems the amount is not paid. The learned counsel further submits that, the matter is pending before this Court at Nagpur wherein the orders are passed for allocation of funds by the Government. The said matter is adjourned to 17.07.2015.

3. The petitioners herein are all retired employees, who are praying to get their rightful amount as per Government

Resolution dated 05.05.2009 and 27.08.2009. It is not disputed that, till date not a single installment is paid to petitioners. In fact all five installments were to be paid by now. The appropriate steps are required to be taken by respondent Nos. 2 and 3 i. e. Maharashtra Jeevan Pradhikaran to pay the said amount to petitioners.

4. Considering the aforesaid aspects of the matter, we pass following order.

5. The respondent Nos. 2 and 3/Maharashtra Jeevan Pradhikaran shall pay the amount regarding arrears on account of revised pay fixation under the 6th Pay Commission as is agreed by them expeditiously and shall commence paying the same atleast in part within six (6) months from today. Endeavour shall be made by respondents to pay the total amount to petitioners expeditiously.

6. The petitioners are seeking interest at the rate of 12% per annum. However, considering the financial stringencies, so also the fact that, even directions are required to be issued to the Government for allocation of the said funds, the prayer for grant of interest cannot be considered. The writ petitions are disposed of. No costs.

[V. K. JADHAV, J.] **[S. V. GANGAPURWALA, J.]**

bsb/July 15