

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

**WRIT PETITION NO. 10711 OF 2014**

Sujaoddin Shaikh Ahmed

.. Petitioner

**Versus**

The State of Maharashtra and others

.. Respondents

Shri Ram S. Shinde, Advocate for the Petitioner.

Shri D. B. Bhange, A.G.P. for Respondent Nos. 1 to 3.

Shri P. V. Barde, Advocate for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND  
V. L. ACHLIYA, JJ.**

**DATE : 05TH FEBRUARY, 2015.**

**PER COURT :**

. The petitioner claims retirement benefits. Some of the benefits seems to have also been sanctioned, but are not paid. Mr. Barde, the learned counsel for the respondent No. 4/Municipal Council submits that, because of financial constraint the respondent No. 4/Municipal Council is not in a position to pay the dues. It would take some time for the Municipal Council to pay the admitted dues to the petitioner.

2. It appears that, the petitioner has retired on 31.05.2013. It is trite that, retiral benefits are not bounty, but it is hard earned amount of an employee. It also appears from the letters issued

by the Chief Executive Officer page 12 and 13 that some of the dues are admitted and the respondents are bound to pay said amount.

3. In the light of that, we pass the following order.

4. The respondents shall pay the all legitimate dues of the petitioner as is admitted by them expeditiously and preferably within a period of six (6) months from today along with interest at the rate of 6% per annum. The writ petition is disposed of. No costs.

**[ V. L. ACHLIYA, J. ]**

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

bsb/Feb. 15