

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1677 OF 2016

[Ashok Bhaiyalal Kshirsagar .vs. Municipal Council, Tumsar and others]

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

Court's or Judge's orders

Shri A.Z. Jibhkate, counsel a/w Shri P.A. Jibhkate, counsel for the petitioner,
Shri S.P. Palshikar, counsel for the respondent no.1,
Shri S.P. Deshpande, Additional Government Pleader for the respondent
nos.2 and 3.

.....

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : DECEMBER 05, 2016.

By this writ petition, the petitioner seeks a direction against the respondent-Municipal Council to release the retiral benefits in favour of the petitioner within a time frame.

The learned counsel for the parties state that in similar matters where the retiral benefits were claimed by the retired employees from the Municipal Council, this Court has granted six months time to the Municipal Council to pay the retiral benefits to those employees, considering the financial difficulty of the Municipal Council. It is stated that similar order could be passed in this writ petition also.

Since the claim of the petitioner for grant of retiral benefits is admitted, we dispose of the writ petition with a direction against the Municipal Council to pay the retiral benefits to the petitioner within six months either in lump-sum or in instalments. Since it is stated that the petitioner needs some amount for medical treatment, the respondent-Municipal Council should pay at least an amount of Rs.1,20,000/- to the petitioner within four weeks. Order accordingly. No costs.

JUDGE

JUDGE