

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

WRIT PETITION NO.5128 OF 2015

(Prabhakar s/o Kashinath Shende vs. The Commissioner, Social Welfare Department and others)

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

Shri I.G. Meshram, Advocate for petitioner.

Smt. H.N. Prabhu, Assistant Government Pleader for
respondent nos.1 to 3.

Shri P.D. Meghe, Advocate for respondent no.4.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATED : MAY 3, 2016

Adv. Meshram for petitioner submits that in view of orders passed by this Court from time to time, ultimately prayer clause (a) in the petition is satisfied. He, however, points out that on account of delayed payment of pension, interest is still not sanctioned. He invites our attention to Rule 129-B of Maharashtra Civil Services (Pension) Rules, 1982.

Smt. Prabhu, learned Assistant Government Pleader for respondent nos.1 to 3 and Adv. Meghe for respondent no.4 are opposing the prayer for pension. However, fact that payment of pension has been delayed cannot be disputed.

In this situation, as per provisions of above mentioned Rule, interest needs to be paid. We, therefore, direct respondent no.3 to work out interest and to fasten liability therefor in accordance with law. The exercise shall be completed within a period of four months from today and interest amount payable to the petitioner shall be credited to his Account within next two months.

Acceptance of such amount by the petitioner shall not preclude him from challenging correctness of the exercise undertaken.

With these directions, the writ petition is partly allowed and disposed of. No costs.

JUDGE

JUDGE

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