

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

WRIT PETITION NO.1969 OF 2017

Aminuddin Hisamoddin and
others. ... Petitioners.

Versus

Municipal Corporation of
City of Jalgaon, through
its Commissioner and another ... Respondents.

...

Mr.S.S.Wagh, advocate holding for Mr.S.T.Shelke,
advocate for the petitioners.
Mr.P.R.Patil, advocate for Respondent Nos.1 and
2.

...

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

Date : 17.04.2017.

PER COURT :

1. Heard.

2. The petitioners claim interest on the
delayed payment of pension. The learned counsel

submits that the petitioners have retired between the years 2007 to 2010 and they have been paid pension in 2016. There is delay of six to nine years in payment of pension. They are entitled for interest. According to the learned counsel, Respondents be directed to pay interest at the rate of Rs.18% p.a.

3. Mr.Patil, learned counsel submits that the financial condition of the Respondent is not good. The Respondent is facing financial crunch. It is with great difficulty, the Respondent could arrange and paid the said pension amount, as such the Respondent may not be saddled with interest.

4. Payment of pension is not a bounty but hard-earned income of the employee. It would be seen that the Respondents have come out with the case of weak financial condition. Considering the difficulties expressed and the right of the petitioners, the same will have to be balanced.

5. In the result, we pass the following order :

a) The Respondent Corporation shall pay interest to the petitioners on the delayed payment of the retiral benefits at the rate of Rs.6% p.a. The same shall be paid expeditiously, preferably within six (6) months.

b) The Writ Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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