

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

WRIT PETITION NO. 4541 OF 2016

Satwa Dharmaji Shinde

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Vaibhav V. Dhage, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONWANE, JJ.**

DATE : 19TH SEPTEMBER, 2017.

FINAL ORDER :

. The learned counsel for the petitioner submits that, deliberately provident fund amount was not paid for long time, as such the petitioner is entitled for interest on the delayed payment of provident fund amount along with compensation.

2. We have also heard the learned Additional Government Pleader.

3. The present petitioner had initially filed Writ Petition No. 6933 of 2014 claiming various reliefs such as payment of provident fund, amount deducted towards L.I.C. and the salary of three months, so also recovery of amount made by respondents

on account of payment of excess salary.

4. We had disposed of said Writ Petition No. 6933 of 2014 under order dated 13.07.2015. We had specifically observed in para 4 of the said order as under :

"4. It is not disputed by the authorities that, after filing of present writ petition, the management has paid the amount towards provident fund, so also deductions made towards the L.I.C. The only dispute remains for payment of Rs. 1,16,868/- which the management has deducted from the amount payable to the petitioner and deposited with the respondent/State vide the challan."

5. Considering the order passed in Writ Petition No. 6933 of 2014, the grievance of the petitioner for interest could have been raised in the earlier writ petition. The same having not being claimed and matter having been disposed of recording satisfaction about receipt of provident fund amount, now same grievance cannot be raised. The writ petition is disposed of. No costs.

[K. K. SONWANE, J.]

[S. V. GANGAPURWALA, J.]