

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

WRIT PETITION NO.11738 OF 2016

Radheshyam S/o Trimbakrao
Ingale ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.M.R.Sonawane, advocate for the petitioner.
Miss. R.P.Gour, A.G.P. for the State.
Mr.S.D.Hiwrekar, advocate for Respondent Nos.1
to 3.

...

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

Date : 29.3.2017.

PER COURT :

1. Heard.

2. Mr.Sonawane, learned counsel submits that the present petition is restricted to the extent of payment of difference of 6th Pay Commission. The amount of Rs.2,09,097/- (Rupees two lacs nine thousand ninety seven only) is not

disputed by the Respondent. The petitioner is entitled for the same.

3. Mr.Hiwrekar, learned counsel for Respondent submits that because of weak financial condition of the Municipal Council, it is not possible to pay the said amount to the petitioner immediately. The Municipal Council would make endeavour to pay the same. Twelve months time be given to pay the said amount.

4. The petitioner is retired person. The retiral benefits would be source of livelihood of such a person. It is well said that pension/retiral benefits is not a bounty but the hard-earned income of the retired person.

5. At the same time, the difficulty expressed by the Respondent will have to be considered. To strike the balance, we pass the following order :

a) The Respondent shall pay amount of Rs.2,09,097/- (Rupees two lacs nine thousand

ninety seven only) to the petitioner within six (6) months with interest @ Rs.6% p.a. simple interest.

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

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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