

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.4573/2015

(Smt. Kusum Prakash Shendre vs. Municipal Council, Tumsar)

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

Court's or Judge's order

Shri P.V. Thakre, Advocate for the petitioner
 Shri S.P. Palshikar, Advocate for Respondent

**CORAM : SMT. VASANTI A. NAIK &
 MRS. SWAPNA JOSHI, JJ.
DATED : 5th April, 2017.**

Heard.

By this Writ Petition, the petitioner seeks a direction against the respondent to release the retiral benefits, to the tune of Rs. 6,46,289/- to the petitioner, at the earliest.

According to the petitioner, though the petitioner has retired on attaining the age of superannuation on 30.09.2014, the respondent has not paid the benefits towards gratuity, commutation of pension, leave encashment etc, to the tune of Rs. 6,46,289/-.

Shri Palshikar, the learned counsel for the respondent-Municipal Council states that a sum of Rs. 5,61,069/- is due and payable to the petitioner towards the retiral benefits. It is stated that the petitioner is not entitled to Rs.6,46,289/-, as claimed.

The learned counsel for the petitioner states that though

the respondent has admitted the payment of dues of Rs. 5,61,069/-, the respondent would be liable to also pay the arrears of salary and retiral benefits, in view of the recommendations of the 6th Pay Commission.

The learned counsel for the respondent states that whatever is due and payable to the petitioner over and above the sum of Rs.5,61,069/-, would also be paid to the petitioner within six months, as is directed by this Court in the other Writ Petition.

In view of the statements recorded herein-above, we dispose of the Writ Petition, with a direction against the respondent-Municipal Council to pay the dues of the petitioner within a period of six months, either in *lump sum* or in installments, so that, at least, some amount would be released in favour of the petitioner, at the earliest.

Order accordingly. No costs.

JUDGE

JUDGE

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