

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

84 WRIT PETITION NO. 11643 OF 2016

SAHEBRAO BABURAO GAPAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Undre Vikram S.
AGP for Respondent Nos. 1 to 3 : Mr. K.N. Lokhande

...

**CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.**

DATE : JUNE 25, 2018

O R D E R :

1. The petitioner claims interest on the pension amount as directed by the Maharashtra Administrative Tribunal in Original Application No. 484/2003. The affidavit is filed by the respondents through the Executive Engineer, P.W.Department, Osmanabad stating that to get interest on the amount of pension the present petitioner has to provide his heirship certificate and details of heirs at the time of claiming benefit. It further states that there is

delay on the part of petitioner and on account of delay he cannot get the benefit.

2. Mr. Undre. learned counsel submits that the petitioner has received heirship certificate and he will submit the copy of the same to respondent no. 2.

3. Considering the fact that the rights were crystallized in view of the judgment and order of the Maharashtra Administrative Tribunal in Original Application No. 484 of 2003 and the interest amount payable would not change, as the amount of interest would be till the date of payment of pension only.

4. The petitioner may submit the heirship certificate to the respondent and on submission of the heirship certificate the respondent shall consider claim of the petitioner for the payment of interest within the period of six months from the date of receipt of the heirship certificate.

5. Writ petition accordingly disposed of. No costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

dbm/