

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO.2031/2019

Anant Prabhakar Deshmukh,
aged about 61 Yrs., Occ. Retired,
R/o Shastri Square, Dhamangaon Railway,
Dist. Amravati 444 709.

..Petitioner.

..Vs..

1. State of Maharashtra,
through its Secretary, Urban
Development Department,
Mumbai -32.
2. Municipal Council, Dhamangaon
Railway, through its Chief Officer,
Dhamangaon Railway, Dist. Amravati
444 709.

..Respondents.

Shri Alok Daga, Advocate for the petitioner.
Shri A.M. Balpande, A.G.P for respondent No.1.
Shri M.G. Rathi, Advocate for respondent No.2.

CORAM :- SUNIL B. SHUKRE AND
AVINASH G. GHAROTE , JJ.
DATED :- 15.12.2020

ORAL JUDGMENT *(Per Sunil B. Shukre, J.)*

1. Heard Shri Alok Daga, Advocate for the petitioner, Shri A.M. Balpande, A.G.P for respondent No.1 and Shri M.G. Rathi, Advocate for respondent No.2.

2. **Rule.** Rule made returnable forthwith. Heard finally by

consent.

3. This petition seeks a direction to respondent No.2 for making payment of retiral dues as per Annexure “B” to the petitioner along with interest from the date of retirement of the petitioner. Today, a true copy of the communication received by Shri Milind Rathi, learned Advocate for respondent No.2 is placed on record. It is marked “X” for the purpose of identification. It states that respondent No.2 is willing to make the whole payment as per the details given thereunder. It further states that the entire payment of retiral dues shall be made in instalments within a period of six months. The proposal is acceptable to learned Advocate for the petitioner. But, he submits that interest should also be paid to the petitioner.

4. Since proposal is acceptable to the petitioner, we are of the view that this petition can be disposed of in terms of document “X” so far as the payment of the retiral dues is concerned. As regards payment of interest, we are of further opinion that same can be paid as per rules. Accordingly, petition is allowed in terms of the proposal given vide document “X”. We further direct that the entire payment of the dues be made as per the schedule in document “X” along with such interest as may be permissible in law and applicable rules within a period of

six months from the date of the order. Rule accordingly. No costs.

JUDGE

JUDGE

Nilesh
Tambaskar

Digitally signed by
Nilesh Tambaskar
Date: 2020.12.16
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Tambaskar.