

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

WRIT PETITION NO.1460 OF 2020

Vahidkhan S/o Majidkhan Pathan, Tumsar, Dist. Bhandara

-vs-

Regional Director Municipal Administration, Nagpur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri K. S. Motwani, Advocate for petitioner.
Smt Sangita Jachak, Assistant Government Pleader for respondent
Nos.1 and 2.
Shri Tejas Deshpande, Advocate for respondent No.3.

CORAM : A. S. CHANDURKAR AND G. A. SANAP, JJ.

DATE : December 14, 2021

P. C.

Rule. Rule made returnable forthwith and heard finally.

The grievance of the petitioner is with regard to non-payment of retiral benefits pursuant to the services discharged at the respondent No.3-Municipal Council. The petitioner has superannuated on 28/02/2019.

After notices were issued in the writ petition, reply has been filed by the Chief Officer, Municipal Council, Tumsar and in paragraph 4 it has been stated that in February 2021 the retiral benefits that were outstanding were Rs.21,50,517/-. It is further stated that considering the financial position of the Municipal Council it be permitted to make the said payment in instalments.

Considering the aforesaid position the writ petition is disposed of by passing the following order :

The amount of Rs.1,50,517/- shall be paid by the Municipal Council to the petitioner by the end of January 2022.

Thereafter ten equal instalments of Rs.2,00,000/- per month be paid to the petitioner. The Municipal Council shall also calculate any further dues that have accrued after filing of the said affidavit and make that payment also to the petitioner.

On failure to make the payment as aforesaid the amount due shall carry interest at the rate of 6% per annum for the period of delay.

The writ petition is disposed of in aforesaid terms.

No costs.

(G. A. Sanap, J.)

(A. S. Chandurkar, J.)