

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

WRIT PETITION (WP) NO. 275/2019

Rambhau s/o Mahadev Kahalkar,
Aged about 58 years, Occu. Retired,
R/o Bhandara Road, Tumsar
Tah. Tumsar Dist Bhandara

..... PETITIONER

// VERSUS //

Municipal Council Tumsar
Tah. Tumsar Dist. Bhandara
Through Its Chief Officer.

.... RESPONDENT

Shri K.S. Motwani, Advocate for the petitioner
Shri Anand Deshpande, Advocate for the respondent

**CORAM : A. S. CHANDURKAR AND
PUSHPA V. GANEDIWALA, JJ.**

DATED : 09/02/2022

ORAL JUDGMENT : (PER:- A. S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith. Heard the learned counsel for the parties.

2. The grievance of the petitioner is the non-payment of his retirement benefits by the Municipal Council, Tumsar. The petitioner was engaged as a Clerk in the Municipal Council and retired on attaining the age of superannuation on 30.06.2018. Though the petitioner was

paid some amount after his retirement, the entire arrears were not paid and hence, the petitioner has filed the present writ petition.

3. The respondent in reply has submitted that after making some payment to the petitioner an amount of Rs.6,03,234/- is due and payable to him. It is submitted that on account of financial constraints, it would not be possible to make the entire payment at one go. Such amount could be paid by way of installments if permitted by the Court.

4. Considering the aforesaid, the writ petition is disposed of by passing the following order:-

(i) The petitioner shall be paid an amount of Rs.6,03,243/- in six monthly installments.

(ii) If after lapse of six months any amount remain due and payable, the petitioner will be free to claim that amount alongwith interest at such rate the Court may consider appropriate.

5. With these directions, the writ petition is allowed in aforesaid terms. Rule accordingly. No costs.

JUDGE

JUDGE