

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

WRIT PETITION NO.14496 OF 2023

**NAMDEO KISHANRAO SAWANT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
PRINCIPAL SECRETARY AND ANOTHER**

....
Mr. D. G. Kamble, Advocate for Petitioner
Mr. P S. Patil, AGP for Respondent – State
....

**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 28.11.2023

PER COURT :-

1. The Petitioner has put forth prayer clauses (C) and (D) as under:-

“(C) This Hon’ble Court may be pleased to issue writ of mandamus and/or by any other writ, order or directions in the nature of mandamus, thereby directing the respondent no.1 and 2 to take necessary action and interest all the amounts of retirement/pensionary benefits from the retirement of petitioner or the said amount may kindly be directed to be deposited in this Hon’ble High Court.

(D) The compound interest on the delayed payment of retirement/ pensionary benefits may be pleased be directed to be paid as per the rules.”

2. Earlier, the Petitioner had preferred Writ Petition No.7137 of 2021 and had put forth identical prayer clauses (C) and (D), which read as under:-

“(C) This Hon’ble Court may be pleased to issue writ of mandamus and/or by any other writ, order or directions in the nature of mandamus, thereby directing the respondent no.1 and 2 to take necessary action and pay all the amounts of pensionary benefits alongwith amount arrears due to pay fixation in the revised pay scale, to the petitioner within a month from the passing of the order by this Hon’ble High Court or the said amount may kindly be directed to be deposited in this Hon’ble High Court.

(D) The compound interest on the delayed payment of retirement of pensionary benefits may be pleased be directed to be paid as per the rules.”

3. By order dated 25.03.2022, Writ Petition No.7137 of 2021 was disposed off by recording the statement of the employer that the pensionary benefits would be released. The prayer for interest was not dealt with. A second Petition putting forth the same prayer in the backdrop of the earlier order of this Court dated 25.03.2022, cannot be entertained.

4. In view of the above, **this Petition is disposed off.**

[Y. G. KHOBRADE, J.]
SMS

[RAVINDRA V. GHUGE, J.]