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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15947 OF 2022**

Ashok Kisan Jetithar

... Petitioner

vs.

The State of Maharashtra through the
Additional Secretary Revenue and Forest
Department and Ors.

... Respondents

Mr. Rahul B. Vijaymane for the Petitioner.

Ms. Nisha M. Mehra, AGP for the Respondent-State.

CORAM : S.V. GANGAPURWALA, ACJ. &

SANDEEP V. MARNE, J.

DATED : 15 FEBRUARY, 2023

P.C. :-

1. Learned counsel for the petitioner submits that the petitioner was paid the amount of gratuity, leave encashment and pension belatedly. Learned counsel for the petitioner further submits that the GPF amount is also paid belatedly. The petitioner is entitled for the interest on the delayed payment of gratuity, leave encashment, pension and GPF.

2. The Original Application was disposed of by the tribunal with observation that the applicant's claim for interest on the

payment of pension, gratuity and leave encashment is barred by limitation and as such is rejected. So far as GPF is concerned, the petitioner was asked to move respondent no. 4 to claim interest on GPF within one month. It appears that the petitioner had thereafter approached the said Tehsildar for the grant of such claim of interest. The claim of interest of the petitioner is rejected. Petitioner can assail order of the Tehsildar before the appropriate forum.

3. We do not find any error in the judgment of the tribunal rejecting the claim of interest on the delayed payment of pension, gratuity and leave encashment. The said amount was already paid to the petitioner in the year 2012 and the OA was filed only in the year 2017. In light of that no case for interference with the order of the Tribunal is made out.

4. Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)