

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1048 OF 2023

Mr. Nitin Hemchandra Virkar ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1047 OF 2023**

Vijay Anna Sagare ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1046 OF 2023**

Dinkar Krishna Thasale ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1045 OF 2023**

Manohar Narsinha Samant ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1044 OF 2023**

Anil Vinayak Kamble ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1043 OF 2023**

Sunita Nitin Dalvi ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1013 OF 2023**

Milind Nilkanth Deorukhkar	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1051 OF 2023**

Nazir Mainuddin Khan	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1028 OF 2023**

Rajan Shankar Walvekar	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1033 OF 2023**

Sharad Vinayak Kulkarni	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1041 OF 2023**

Arvind Vimalnath Kale	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1050 OF 2023**

Mohan Jaising Dhage	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1040 OF 2023**

Hemangi Wilfred Saldhanha	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1032 OF 2023**

Sandeep Vinayak Kulkarni	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1168 OF 2023**

Nirmala Narayan Sawant	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1031 OF 2023**

Chhagan Ramu Dadas	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1030 OF 2023**

Anil Raghu Chaudhary	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1036 OF 2023**

Vijay Baban Badhe	..Petitioner
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Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1037 OF 2023**

Kishor Ambadas Karode ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1034 OF 2023**

Pravin Sitaram Vyavahare ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1019 OF 2023**

Mr. Subhash Tukaram Tayade ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1020 OF 2023**

Mr. Chandrabhan Amritlal Kalwar ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.1021 OF 2023**

Mr. Ankush Ramchandra Karande ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

**WITH
WRIT PETITION NO.13808 OF 2022**

Mr. Kishor Dattatray Bhalerao	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1022 OF 2023**

Mr. Nagesh Vithal Sawant	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1023 OF 2023**

Mr. Popat Hindurao Patil	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1027 OF 2023**

Gurudatt Mahdukar Chendwankar	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1017 OF 2023**

Mr. Dhruvanth Vindhvasini	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1015 OF 2023**

Mr. Altaf Ahmed Abdul Qadir Khatib	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1016 OF 2023**

Mohammed Javed Abdul Wahab Ansari	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1018 OF 2023**

Iftexhar Husain Shabbir Husain	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.9149 OF 2021
(Not on board)**

Sharad Ramchandra Singh	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.9164 OF 2021
(Not on board)**

Shrihari Vasant Nibre	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION NO.1036 OF 2023
(Not on board)**

Vijay Baban Badhe	..Petitioner
Versus	
Municipal Corporation of Greater Mumbai & Anr.	..Respondents

**WITH
WRIT PETITION STAMP NO.15865 OF 2022
(Not on board)**

Mr. Rajesh Gokuldas Gandhi ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

WITH
WRIT PETITION STAMP NO.11384 OF 2022
(Not on board)

Digambar Prabhakar Chindarkar ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

WITH
WRIT PETITION STAMP NO.13743 OF 2022
(Not on board)

Mr. Arvind Shankar Bhor ..Petitioner
Versus
Municipal Corporation of Greater Mumbai & Anr. ..Respondents

Mr. Mayuresh Nagle, for the Petitioners.
Mr. Santosh Parad, for the Respondent No.1/MCGM.
Ms. Shrishti Shetty i/by M. V. Kini, for the Respondent No.2.

**CORAM : S. V. GANGAPURWALA, ACTING CJ &
SANDEEP V. MARNE, J.**

DATE : 30th MARCH, 2023

PC.

1. The grievance of the petitioners is that the retirement benefits are not completely paid and whatever are paid, are paid belatedly. As such, interest is claimed on the delayed payment of retirement benefits.

2. Learned counsel for the petitioners submits that the respondents be directed to pay entire retirement benefits along with 18%

interest on the delayed payment.

3. Learned counsel for the respondents submits that all the arrears of the retirement dues have not been paid earlier to the petitioners because of the weak financial condition.

4. We have considered submissions.

5. In writ jurisdiction, it would not be possible to enter into the dispute with regard to the calculations. It is not disputed that delay has caused in payment of the retirement dues. There are different dates of retirement of these employees.

6. The respondent No.2/Brihan Mumbai Electricity Supply and Transport Undertaking shall pay interest on the delayed payment of retirement dues at the rate of 6% per annum after lapse of six months from the date of retirement till the actual amount is paid. The said amount of interest shall be paid within four months from today.

7. If the petitioners are entitled for some higher amount, the respondent shall consider the same and in case the petitioners are entitled for the same, the said amount be paid within three months.

8. The petitioners are at liberty to represent themselves before the respondent No.2.

9. All the petitions as such stand disposed of.

[SANDEEP V. MARNE, J.]

[ACTING CHIEF JUSTICE]