

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

WRIT PETITION NO.1092 OF 2022

Kailash S/o Jagdishprasad Verma,
Aged about 59 years, Occu. Retired,
R/o Shiv Nagar, Tumsar,
Tah. Tumsar, Dist. Bhandara. **PETITIONER**

...V E R S U S...

Municipal Council Tumsar,
Tah. Tumsar Dist. Bhandara
through its Chief Officer. **RESPONDENT**

WRIT PETITION NO.1122 OF 2022

Subhash S/o Shankarrao Vaidya,
Aged about 61 years, Occu. Retired,
R/o Gandhi Nagar, Tumsar,
Tah. Tumsar, Dist. Bhandara. **PETITIONER**

...V E R S U S...

Municipal Council Tumsar,
Tah. Tumsar Dist. Bhandara
through its Chief Officer. **RESPONDENT**

WRIT PETITION NO.280 OF 2022

Yuvraj S/o Zingruji Badwaik,
Aged about 60 years, Occu. Retired,
R/o at Post Village Pipra,
Tah. Tumsar, Dist. Bhandara. **PETITIONER**

...V E R S U S...

Municipal Council Tumsar,
Tah. Tumsar Dist. Bhandara
through its Chief Officer.

..... **RESPONDENT**

Mr. K. S. Motwani, Advocate for Petitioner in all Writ
Petitions.

Mr. Anand Deshpande, Advocate for Respondent in all Writ
Petitions.

CORAM: **ROHIT B. DEO AND Y. G. KHOBRAGADE, JJ.**

DATE: **13th JANUARY, 2023.**

ORAL JUDGMENT: (PER Y. G. KHOBRAGADE, J.)

Heard. Rule. Rule made returnable forthwith by
consent of the learned counsel for the parties.

2. The grievance of the petitioners is about non-payment
of monetary benefits arising out of their superannuation and that
though they made several representations with the respondent –
Municipal Council, but their dues are not being paid.

3. Today, the learned counsel appearing for the
petitioners tendered statement in respect of payment of dues to
the employees, which is taken on record and marked Exhibit-X for
identification. The learned counsel for the respondent has not
disputed about dues described in statement Exhibit-X.

4. As per the statement amount of Rs.3,29,080/- (Rupees Three Lakhs Twenty Nine Thousand Eighty) is remained to be paid to the petitioner in Writ Petition 1122/2022, Rs.6,75,499/- (Rupees Six Lakhs Seventy Five Thousand Four Hundred Ninety Nine) in Writ Petition 280/2022 and Rs.8,76,790/- (Rupees Eight Lakhs Seventy Six Thousand Seven Hundred Ninety) in Writ Petition 1092/2022. The learned counsel appearing for the respondent – Municipal Council submitted that within period of six months from today unpaid retiral benefits would be paid to the petitioners. The counsel for the petitioners have not raised any objection for said period. Therefore, it would be just and proper to direct the respondent – Municipal Council to pay arrears of amount to the petitioners within a period of six months from today in equal monthly installments failing which the petitioners would be entitled to recover said amount at the rate of 12% per annum from the date the amount became originally due.

5. Rule is made absolute in above terms. No order as to costs.

(Y. G. KHOBRAGADE, J.)

(ROHIT B. DEO, J.)