



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

160 WRIT PETITION NO. 13065 OF 2023

DILIP EKNATH BHANGE

VERSUS

THE STATE OF MAHARASHTRA THROUGH IT SECRETARY AND
OTHERS

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Advocate for the Petitioner : Mr. R. D. Biradar
AGP for Respondent No.1 / State : Mr. S. B. Pulkundwar
Advocate for Respondent No.2 : Mr. Y. V. Kakde

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

DATE : 22.07.2024

PER COURT :

1. It is an admitted position that the Municipal Council, Paithan is not able to pay the legal dues of the Petitioner, including the gratuity amount, only on account of paucity of funds.

2. In several such matters, we have issued directions for clearing the payments in three equated installments. It is undisputed that the Petitioner is entitled for his retiral benefits, including gratuity and interest @ 10 % per annum on the gratuity, as is granted under the provisions of the Payment of Gratuity Act.

3. In view of the above, **this Writ Petition is disposed off** with the following directions:-

- (a) Respondent No.2/ Municipal Council shall clear the retiral benefits of the Petitioner in three equated installments.
- (b) The first installment shall be paid to the widow, on or before 31.08.2024. The second and the third installments shall be paid, on or before 30.09.2024 and 31.10.2024.
- (c) Interest on the unpaid gratuity amounts shall be computed at the rate of 10% per annum, and 6% per annum on the rest of the amount. The interest component shall be added while calculating the retiral benefits and would be a part of the three equated installments.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

shp