

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

WRIT PETITION NO.4076 OF 2021

Neha Sushant Parab Widow of

Late Sushant Dattatray Parab

.....Petitioner

Vs.

The State of Maharashtra and Ors.

....Respondents

Mr. Nilesh Desai i/b Mr. S. M. Katkar for the Petitioner.

Ms. A. A. Purav,, AGP for the State.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 12th DECEMBER, 2024

P.C. :-

1. The learned AGP has tendered a photostat copy (2 pages) of the letter and calculations, dated 29th November, 2024. The same is marked as 'X' for identification.

2. She submits that the regular pension of the Petitioner widow has commenced from 27th November, 2024. The gratuity has been paid on 22nd November, 2024. It is undisputed that the deceased husband of the Petitioner passed away on 6th June, 2019 while in service. The arrears of pension and interest for delayed payment on pension and gratuity has to be paid, if not already

computed in the amount that has been paid to the Petitioner in terms of the communication “X”.

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

4. On instructions, the learned AGP submits that Respondent Nos. 6 and 7 will decide the interest component on the arrears of pension and the gratuity. Insofar as the gratuity is concerned, the circular dated 5th October, 1999, prescribes 12% interest. Therefore, interest @ 10% has to be computed on the gratuity amount w.e.f. 7th July, 2019 per annum and @12 % from 05.10.21999. Statutory interest would be computed on the arrears of the pension. All these components shall be quantified by the State Authorities and the amounts shall be released within a period of 60 days from today.

5. The petitioner shall deposit the cost amount as directed vide the order dated 11th October, 2024, on or before 19th December, 2024 failing which, double cost amount will have to be paid after the said date.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)