

Shabnoor

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

WRIT PETITION NO.3183 OF 2022

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Divisional Controller, MSRTC, Ratnagiri
Division

... Petitioner

V/s.

Yogesh G. Patwardhan

... Respondent

Mr. Yashodeep P. Deshmukh a/w Ms. Vaidehi Pradeep,
for Petitioner.

Mr. G. M. Joshi, for Respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 22, 2024

P.C.:

1. The writ petition challenges an order passed by the Labour Court, Ratnagiri directing the petitioner to pay an amount of Rs.26,946/- alongwith interest @ 15% and 3% annual salary increment. According to the petitioner, the respondent was not entitled to the relief granted.

2. On perusal of the impugned order, it appears that, the Labour Court based on circulars issued by the petitioner held that the respondent to be entitled to the difference of wages from 1st April 2010 till 31st March 2012. However, the reasons assigned in the judgment do not supports for grant of interest of 15%.

Therefore, the order of grant of interest @ 15% from the date of filing of the application till its recovery needs to be set aside. Hence, following order:

- i) The impugned order dated 7th December 2019 is modified to the extent that the directions against the petitioner directing payment of interest @ 15% from the date of application is quashed and set aside. Rest of the award shall remain.
 - ii) The respondent is entitled to withdraw an amount of Rs.26,946/- alongwith interest accrued, if any.
 - iii) Needless to state that the petitioner shall pay annual 3% salary increment and remuneration for additional work as directed in clause (2) of the impugned order within eight weeks from today.
3. With this clarification, the writ petition stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)