



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

WRIT PETITION NO. 1920/2025

Ravindra Chandrabhan Borkar and Anr.

Vs.

The State of Maharashtra and Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. M. Vaishnav, Advocate for Petitioners.
Mr. N. S. Rao, A.G.P. for Respondent No.1/State.
Mr. J. B. Kasat, Advocate for Respondent No.2.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 05/04/2025.

By consent of the parties, the petition is heard finally.

2. On 31.01.2025 this Court had recorded the following position in Writ Petition No.5923/2024 with connected writ petition :

“1. There is no dispute that the petitioners are entitled to the amounts on account of gratuity, leave encashment and arrears of salary on account of application of the 7th Pay Commission. The only reason for this non-payment as has been stated by Mr. Kasat, learned counsel for the respondent no.2, is that on account of lack of funds, the payments are being made in phase wise manner”.

3. Today, Mr. Kasat, the learned Counsel for respondent No. 2 has tendered across the bar additional affidavit on behalf of respondent No. 2 that the arrears of 7th Pay Commission would be payable to the employees in yearly installment of 5 yrs and the gratuity would be paid

within 2 yrs from 2025 to 2027 in six installments so also the leave encashment would be paid in the year 2028 into two installments.

4. We find that the petitioners have been superannuated in 2019 and 2017 respectively. Since the year of superannuation they have not received the retiral benefits such as gratuity, PF and leave encashment, which they are entitled to receive as a matter of right. We therefore, dispose of the petition by directing respondent No. 2 to pay the aforesaid retiral benefits to the petitioners, within six months from today.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)