



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

WRIT PETITION NO. 5821 OF 2024

The State of Maharashtra and others

-Vs.-

Nitin Baburao Chandurkar

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. N.R.Patil, AGP for the petitioners-State.
Mr. N.A.Gawande, Adv.for the respondent thr.VC.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 10TH MARCH, 2025

We have heard Mr.Patil, learned AGP for the petitioners, however, who question the grant of interest at the rate of 6.85% awarded by the Tribunal.

2. We find, that the earlier delay, had occasioned, on account of the absenteeism of the petitioner, and the extraordinary leave for the period of 572 days came to be sanctioned only on 20/10/2021 (Pg.106) and the further leave of 70 days came to be sanctioned on 20/10/2021 (Pg.108), consequent to which, the service book of the petitioner came to be updated. This would clearly indicate, that the entire blame for the non-updation of the service book, can be squarely laid at the doorstep of the petitioner, on account of which, he cannot claim interest for that period. We accordingly modify the impugned judgment dated 13/12/2023 and hold that the petitioner would be

entitled to claim interest at the rate awarded only from 20/10/2021 and not earlier. The petitioners shall deposit the entire balance, which may be calculated in terms of this order in the account of the petitioner within a period of four weeks from today. The petition is accordingly partly allowed in the above terms. No costs.

(ABHAY J. MANTRI,J) (AVINASH G. GHAROTE, J)