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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.614 OF 2026

Vishnu Pundlik Shinde,
Age: 60 years, Occu.: Pensioner,
R/o. House No.C-2, Yashraj Angan
Gut No.-175, Behind HP Petrol Pump,
Cambridge Bypass Road, Sawanti,
PO: Chouka, Dist. Aurangabad – 431008. ... Petitioner

Versus

1. The State of Maharashtra
Through Secretary Municipal Corporations,
Mantralaya, Mumbai – 400 032.
2. The Commissioner,
Municipal Corporation, Aurangabad. ... Respondents

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Ms. A.N. Ansari, Advocate for Petitioner
Mr. S.K.Tambe, Addl. G.P for Respondent No.1 – State
Mr. S.P Urgunde, Advocate for Respondent No.2
.....

CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATED : 27 FEBRUARY, 2026

JUDGMENT [Per Smt. Vibha V. Kankanwadi, J.] :-

1. Rule. Rule is made returnable forthwith. With the consent of the parties, the petition is taken up for final disposal at the stage of admission.

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2. The present petition has been filed for release of the pension and all retirement benefits of the petitioner, together with delayed payment of pension and retirement benefits from 01.06.2023 till the date the same are actually paid.

3. The fact which is not in dispute is that the petitioner is a handicapped person, who was appointed as *Sipai*/Peon with respondent No.2 by an order dated 31.01.1984. During the service of the petitioner, he had earned promotion in the year 2008 to the post of Junior Clerk. However, the order for promoting him as a Clerk was passed on 29.07.2022. The petitioner had passed the MSCIT examination in the year 2004 itself. After putting about 38 years of service, he stood retired on 01.05.2023 by superannuation; however, Respondent No. 2 has not paid the pension and retirement benefits, except the GPF and GIS amounts, and other allowances like transport allowance at the increased rate have not been paid, and so also the DA difference as per the 7th Pay Commission was not paid. The service book of the petitioner was not updated, and therefore, about four months prior to his retirement, the petitioner was requesting the concerned officer by placing applications on 27.01.2023, 23.02.2023, and 02.03.2023 that it should be verified. Now, the office of respondent No.2 by office circular dated 07.10.2020 has stated that the service book should be verified within a

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period of five years prior to the date of retirement, and if any excess amount is paid, then the note should be taken.

4. The petitioner, therefore, has approached this Court as he is not getting the pension and the retirement benefits.

5. Heard. Learned advocate Ms. A.N. Ansari for the petitioner, Mr. S.K. Tambe, Addl. G.P. for Respondent No.1-State and Learned advocate Mr. S.P. Urgunde for respondent No.2.

6. Here, the fact is not in dispute that the petitioner has put around 38 years of service. Getting the service book verified is the administrative job of the concerned officers in the office of the Municipal Corporation; the petitioner cannot be held responsible for the same. It appears that the petitioner was diligent enough in bringing the fact to the notice of the office that his service book deserves to be got verified. The petitioner has been promoted as a Junior Clerk in 2008 and as a Senior Clerk in 2022. Each time after the promotion, the pay fixation would have been done and at that time, the service book would have been updated. Of course, this is the normal rule, but if the office of respondent No.2 is not doing it promptly, then the concerned officers are responsible for the delay.

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7. We, therefore, dispose of the writ petition by partly allowing it and directing Respondent No. 2 to get the service book of the petitioner verified within a period of fifteen (15) days from today and thereafter to submit a proposal for his pension, along with all consequential benefits, within a period of one (01) month from today.

8. In case of failure on the part of respondent No,1 to take up these steps, then the concerned officers should be held responsible for the same.

9. The petitioner is entitled for interest at the rate of 6% per annum on the delayed payment of pension and retirement benefits from 01.06.2023 till their actual disbursement to the petitioner.

10. Rule is made absolute in above terms. No order as to costs.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE