



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4050 OF 2025

**THE CHIEF EXECUTIVE OFFICER ZILLA PARISHAD
AURANGABAD AND OTHERS**

VERSUS

CHHAYA MADHUKAR RUSHIPATHAK

...

Mr. Prashant R. Nangare, Advocate for the Petitioners.

Mr. Mahesh B. Ubale, Advocate for Respondent.

...

WITH

CIVIL APPLICATION NO.4065 OF 2026

IN WP/4050/2025

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 15th APRIL, 2026.

P.C.:-

1. The present Writ Petition takes exception to order dated 04.12.2024 passed by Chairman and Member, Permanent Lok Adalat at Aurangabad in P.L.D. Application No.27/2001, whereby petitioners are directed to pay interest @ 9% p.a. on delayed payment of pension, gratuity and Government Provident Fund within period of three months from date of this order. In addition, petitioners are directed to pay amount of Rs.10,000/- towards mental agony and Rs.5000/- towards cost of petition.

2. Mr. Nangare, learned Advocate appearing for petitioners submits that respondent retired from service on 30.11.2019. She had submitted pension proposal on 18.09.2019 and since July 2020 pension has been released. The delay in processing pension was on account of certain defects, which were ultimately rectified on

24.01.2020. Further there were Covid restrictions and delay is attributed to restrictions on movement of staff.

3. Per contra, Mr. Ubale, learned Advocate appearing for respondent supports impugned order.

4. Having considered submissions advanced by learned Advocates appearing for respective parties and on perusal of reasons recorded in impugned order, it can be noted that Authority has observed that employee is ordinarily entitled for gratuity amount before three months of date of her retirement. However, it was released on 21.08.2020. There is absolutely no reason to justify delay. The Authority has relied upon Rule 29-B of M.C.S. (Pension) Rules, 1982, which provides that in case of delay in releasing pension beyond six months, it shall follow interest on delayed period. Even reference is given to Sub-Rule (I) of Rule 29 of General Provident Fund, which prescribes procedure. Rule 11(4) of Central Provident Funds Rules also makes provision for interest on delayed payment of GPF balance. The petitioners could not assign plausible reason for such delay.

5. In wake of statutory scheme under M.C.S. (Pension) Rules, 1982 and Central Provident Funds Rules, directions issued by Authority granting interest @ 9% p.a. on delayed payment in

addition to compensation towards mental agony and costs needs no interference in Writ jurisdiction of this Court.

6. In result, Writ Petition stands dismissed.

7. In view of dismissal of Writ Petition, pending Civil Application also stands disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2026