

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CIVIL WRIT PETITION NO. 2141 OF 2025**

Balakrishna Maruti Gore

....Petitioner

Versus

The Principal Controller of
Defense Accounts (Navy)
Mumbai and ors.

....Respondents

Mr. Atharva A. Dande a/w Mr. Gautam J. Jain for the Petitioner.

Mr. Kanhaiya S. Yadav h/f. Mr. Neel G. Helekar, for Respondent –
Union of India.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.
DATE : 08th JANUARY, 2026**

P.C. :-

1. On 30th June, 2025, this Court had specifically directed the Respondents to file an affidavit explaining the reasons why the arrears of salary of the Petitioner have been withheld. The matter was listed on 28th July 2025. No affidavit-in-reply was filed. Thereafter, the matter was listed on 8th December, 2025. No affidavit-in-reply was filed. There is nothing on record before us to indicate that there are certain reasons for which Respondent no.1 has refused to release the arrears of salary of the Petitioner, who was working as the Registrar of the Armed Forces Tribunal, Regional Bench, Mumbai, and who has superannuated on 29th February, 2020.

The said arrears are of Rs.36,89,978/- as per the Pay Bill dated 24th June, 2024.

2. The learned Advocate appearing on behalf of the Respondent Union of India submits that the record has not been provided to him and that he has no instructions.

3. Since we find that there are no reasons assigned for non-payment of arrears of salary, and since the Petitioner has not been served with any notice or communication apprising him of the reasons for withholding the arrears of salary, when he was actually worked and has superannuated without any blemish, and since the affidavit-in-reply has not been filed, this **Writ Petition is partly allowed in terms of prayer clause (a)** which reads as under :-

“a) That this Hon’ble Court be pleased to issue to Respondent Nos.1 and 3 a writ of mandamus or any other appropriate writ or direction, directing Respondent No.1 to forthwith release / pay to the Petitioner salary arrears of Rs.36,89,978/- (Rupees Thirty-Six Lakhs Eight-Nine Thousand Nine Hundred and Seventy-Eight Only) as per Pay Bill dated 24th June, 2024 (Exhibit ‘K’ to the Petition);”

4. Insofar as the interest on the unpaid arrears of salary is concerned, we are not accepting the request of the Petitioner for

interest @ 18% p.a. We are granting interest @ 6% p.a. from the date the salary dues became payable, if the amount is paid to the Petitioner within a period of 45 days from today. If the amount is not paid within the specified period, we would impose interest @ 10% p.a., and such difference of interest @ 4% p.a., shall be recoverable from the officer, on account of whose conduct the delay is made in the payment of the arrears with interest @ 6% p.a.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)