

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION NO. 1102/2022 (S.B.)

Balkrushna s/o Bhaurao Bopche,
Aged about 61 years,
Occupation Retired Forest Guard,
R/o. Powar Colony, Zakir Hussain Ward,
Tirora, Tah. Tirora,
District Gondia.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Forest Department, Mantralaya,
Mumbai -400 032.

- 2) The Chief Conservator of Forest (Territorial),
Nagpur Division, Ramgiri Road,
Civil Lines, Nagpur.

- 3) The Deputy Chief Conservator of Forest,
Gondia Forest Division,
Near Jai Stambh Chowk, Gondia,
Tah. and District - Gondia.

- 4) The Range Forest Officer,

Tirora, Forest Range Tirora,
Office at Railway Station Road,
Tirora, Tah. Tirora, District - Gondia.

Respondents

Shri I.N.Choudhari, Ld. Counsel for the applicant.
Shri S.A.Sainis, Ld. P.O. for the respondents.

Coram:- Hon'ble Shri M.A.Lovekar, Member (J).

Dated: - 06th October, 2023.

JUDGMENT

Judgment is reserved on 05th October, 2023.

Judgment is pronounced on 06th October, 2023.

Heard Shri I.N.Choudhari, learned counsel for the applicant
and Shri S.A.Sainis, learned P.O. for the respondents.

2. The applicant joined the respondent department on
30.09.2003 as Forest Guard and retired on superannuation on
30.06.2019. It is his grievance that his retiral benefits were paid
belatedly i.e. in June, 2021. According to him, he is entitled to get
interest on delayed payment as per Rules.

3. Stand of respondents 3 and 4 is as follows-

*The applicant stood retired on superannuation on
30-6-2019. It is pertinent to note here that, the*

respondents released the pension payment vide order dated 20-5-2021 in the month of June 2021. It is submitted that, as per G.R and after preparation of papers of pension and pensionery benefits of the applicant as per 7th Pay Commission by the office of respondent the same had been sent to the pay verification office at Nagpur for verification. Needless to say that this period was so alarming as Covid-19 pandemic spread through at the Country i.e. during the period of 2019 to 2021, and as such due to pay verification of the applicant by Pay Verification Office took some time for the release of pension payment order and gratuity. The situation was exceptional as the Covid-19 Pandemic was at its peak and this is exceptional circumstance. Due to this there is some delay for which the respondents were not at fault. The delay is bonafide and not deliberate on the part of the respondents.

4. It was submitted by Shri I.N.Choudhary, learned Advocate for the applicant that had the respondents stuck to the schedule prescribed under Rules 120 to 125 of the M.C.S. (Pension), Rules, 1982, retiral benefits would have been paid to the applicant before onset of

Covid-19 pandemic. Considering the date of retirement of the applicant and the schedule prescribed under Rules 120 to 125 of the M.C.S. (Pension), Rules, 1982, this submission of the applicant deserves to be accepted. Therefore, payment of interest on account of belated payment of gratuity and pension will have to be directed. The O.A. is allowed. The applicant is held entitled to get interest as per Rules 129-A and 129-B on account of delayed payment of gratuity and pension. The respondents are directed to pay the same within two months from today. No order as to costs.

(M.A.Lovekar)
Member (J)

Dated – 06/10/2023
rsm.

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Raksha Shashikant Mankawde
Court Name : Court of Hon'ble Member (J).
Judgment signed on : 06/10/2023.
and pronounced on : 07/10/2023.