

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL****NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 851/2022 (S.B.)**

Shriprakash S/o Madanlal Chouhan,  
Aged 60 years, Occupation : Retired Govt. Servant,  
R/o 25, Gopikrishan, NIT Adiwasi Layout,  
Trimurti Nagar, NAGPUR – 22.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
Through its Secretary, Secretary,  
Skill Development Employment & Entrepreneurship Department,  
Mantralaya, MUMBAI – 32.
- 2) The Joint Director of Vocational Education & training,  
Civil lines, NAGPUR - 440 001.
- 3) The District Vocational Education Officer Wardha.

**Respondents**

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**Shri B.Kulkarni, Id. Advocate for the applicant.**

**Shri A.P.Potnis, Id. P.O. for the respondents.**

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

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**JUDGMENT**

**Judgment is reserved on 12<sup>th</sup> Nov., 2024.**

**Judgment is pronounced on 28<sup>th</sup> Nov., 2024.**

Heard Shri B.Kulkarni, Id. counsel for the applicant and Shri  
A.P.Potnis, Id. P.O. for the Respondents.

2. The applicant retired on superannuation on 30.06.2020. He received amount of gratuity on 08.07.2021 and other pensionary benefits in Nov., 2021. According to the applicant the delay was caused as in pension papers name of Wardha Treasury instead of Nagpur Treasury was mentioned and this was fault of the employer for which the applicant was not responsible. The error was ultimately corrected by issuing a letter dated 07.07.2021 (at P. 19-A) by the office of the Principal Accountant General.

3. Main ground on which respondents 2 & 3 have resisted the O.A. is pleaded as follows:-

*It is further submitted that after receiving the authority of pension and other documents from AG, the applicant realized his mistake about mentioning the Treasury as Wardha by himself and made a communication to this respondent for change of treasury from Wardha to Nagpur vide letter dated 29.04.2021. It can be made very clear from the communication and annexure no. 2 that the applicant himself had mentioned Wardha Treasury and falsely pleading to this Hon'ble Court that respondent no. 2 has wrongly proposed. Copy of communication dated 29.04.2021 is annexed as **ANNEXURE NO. R-4***

*The present respondent no. 2 vide letter dated 04.06.2021 communicated to AG who in turn corrected the flaws on the basis of applicant's and respondent no. 2 communication. AG issued corrigendum and approved vide letter dated 07.07.2021. As soon as the respondents received the communication change of treasury regarding on the same day payment of retiral benefits came to be released which is evident from a copy of a document which is annexed as **ANNEXURE NO. R-5**.*

Relevant part of Annexure-R-4 reads as under:-

**विषय :** वर्धा कोषागार ऐवजी नागपूर कोषागार मिळणे बाबत.

**संदर्भ :** कार्यालय महालेखाकार (लेखा व हकदारी) – II महाराष्ट्र,  
नागपूर-01 पत्र क्र. PR10//1021296796/5/P/21/10/  
60314633 अन्वये.

मा. महोदय,

मी दि. 30/06/2020 रोजी न्यू इंग्लिश कनिष्ठ महाविद्यालय वर्धा, येथून पूर्ण वेळ शिक्षक या पदावरून सेवा निवृत्त झालो. माझी पेंशन केस महालेखाकार (लेखा व हकदारी) - II नागपूर कडून मंजूर झाल्याचे महालेखाकार कार्यालयाचे पत्र मला प्राप्त झाले आहे. त्यानुसार त्या पत्रात वर्धा कोषागार असा उल्लेख झाला आहे. मी आपणास कळवू इच्छितो की, माझे पेंशन प्रस्ताव तयार करतांना अनअवधानाने नागपूर कोषागार (ऐवजी वर्धा कोषागार नमूद करण्यात आले होते. परंतु मी नागपूर ला राहतो व त्यासंबंधीचे सर्व कागदपत्र पुरावे म्हणून जोडले होते. त्यात नागपूर वरून पेंशन घेणार म्हणून नागपूर 'स्टेट बँक ऑफ इंडिया' गोपाळनगर, शाखेचे बँक अकाउंट खाते व पासबुक, नागपूर ला वास्तव्य असल्याबाबत चा संपूर्ण पत्ता, व आधारकार्ड वगैरे सर्व जोडले होते. मला जे महालेखाकार कार्यालयाकडून पत्र प्राप्त झाले. त्यात वर्धा कोषागार असे लिहून आले.

Aforequoted contents A-R-4 have not been traversed by the contesting respondents. Therefore, it cannot be held that the applicant had in any way contributed to the delay.

4. According to the contesting respondents part of the delay was caused by Covid Pandemic. On this ground claim of the applicant for grant of interest on account of delayed payment cannot be rejected.

5. For the reasons discussed hereinabove, the O.A. is allowed in the following terms. The respondents are directed to pay interest on delayed payment of pension and gratuity as per Rules 129-A and 129-B of The Maharashtra Civil Services (Pension) Rules, 1982 to the applicant within three months from today. No order as to costs.

**Member (J)**

**Dated :- 28/11/2024**  
aps

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

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Member (J).

Judgment signed on : 28/11/2024  
and pronounced on

Uploaded on : 29/11/2024