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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2048 OF 2010

Mahrukh Shavak Chikliwala & ors. .. Petitioners
Vs.
Union of India .. Respondent

WITH
WRIT PETITION NO. 1770 OF 2011

1. Mr. R. S. Madireddy and anr. .. Petitioners
Vs.
1. The Union of India and ors. .. Respondents

WITH
WRIT PETITION NO. 282 OF 2011
WITH
CHAMBER SUMMONS NO. 276 OF 2011

Rajendra Sadashiv Nesarikar & ors. .. Petitioners
Vs.
Union of India and ors. .. Respondents

WITH
WRIT PETITION NO. 1189 OF 2011

Brajesh K. Darad and ors. .. Petitioners
Vs.
Union of India and ors. .. Respondents

WITH
WRIT PETITION NO. 2641 OF 2010

Shashikant Narayan Dhotre & ors. .. Petitioners
Vs.
Union of India and ors. .. Respondents

Mr. J. P. Cama, Senior Advocate a/w Rohan Cama & Pallavi Dedhia i/by
M/s. Sanjay Udeshi & Co. for petitioners in WP No. 2048 of 2010.

Mr. Harish Khedkar i/by M/s. Khaitan & Jayakar for petitioners in W.P. No.
1770 of 2011

Mr. Rohan Cama a/w Pallavi Dedhia i/by M/s. Sanjay Udeshi & Co. for
petitioners in WP No. 2641 of 2010.

Ms. Pooja Jalan a/w Mr. Rahul Jalan i/by M/s. MBS & Co. for petitioners
in WP No. 282 of 2011.

Mr. N. Jayaraman for petitioners in WP No. 1189 of 2011.

Mr. S. K. Talsania, Senior Advocate a/w Ms. Kavita Anchan i/by M/s. M.
V. Kini & Co. for respondent nos.1 and 2 in W.P. No.2048/10 and for
respondent nos.2 and 3 in WP Nos.2641/10, 1770/11 and 1189 of 2011.

Mr. Rajiv Chavan a/w Neeta Masurkar, K. R. Choudhari and G. Hariharan
for Union of India in WP Nos. 2048/10, 1770/10, 1189/11 and 282/11

Mr. S. Sinha a/w Dhiren Shah for Union of India in WP No. 2641 of 2010.

CORAM: S. A. BOBDE &
R. G. KETKAR, JJ.

AUGUST 22, 2012.

P.C.

Having heard the learned counsel for the respective parties and having regard to the settlement made by the respondent nos.2 and 3 and recorded by this court in the order dated 23/11/2011, we consider it appropriate to direct that the respondent no.2 shall pay an amount of Rs.5 Crores per month only towards the wage settlement arrears. The payments to be made shall include payment on account of all kinds of arrears, including HRA and CCA. Mr. Talsania states that the employees who have retired after 13/8/2004 are eligible for HRA and CCA. Mr. Cama does not dispute this. Hence, payments shall only be made to such employees. We direct that the payments shall be released in such a manner that the employees who had retired earlier get paid first and the employees who had retired later in point of time are paid later. We further add that notwithstanding the payment in chronological order to those who have retired, we direct that the HRA and CCA shall be paid first to the families of those who have retired after 13/8/2004 and who have died.

Mr. Talsania states that the employees who have retired upto July, 2002, have already been paid. Statement is accepted.

The allowances for the families of deceased employees shall be paid at the earliest and not later than the next installment.

Time to carry out amendment granted in Writ Petition No. 1770 of 2011 is extended by two weeks.

(R. G. KETKAR,J.)

(S. A. BOBDE,J.)