

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****WRIT PETITION NO. 5395 OF 2011**

Balwant Janardhan Kulkarni

....Petitioner.

Vs.

State of Maharashtra & Ors.

....Respondents.

Mr. C.K. Bhangoji a/w Mr. Balwant Patole for the Petitioner.

Mr. A.I. Patel, AGP for Respondent Nos. 1 and 3.

**CORAM : ANOOP V. MOHTA AND
VL.ACHLIYA, JJ.****DATE : 10 JUNE 2015.****P.C.:-**

Rule. Rule made returnable forthwith. Heard finally by consent of the parties.

2 Considering the submission so made and as the question is about deciding the pension case of the Petitioner including the fixation of pension as per 6th pay commission and consequential benefits based upon the eligibility issue if any, needs to be decided by Respondent No.2 specifically in view of the representation made by the Petitioner dated 8 March 2010 (Exhibit D). It is also necessary to decide such pension cases by providing reasons so that the parties, as well as, the third person will be in a position to know the background, as well as,

the reason for rejection. All these things are missing in the present case. Therefore, in the interest of justice, we are directing Respondent No.2 to decide the representation filed by the Petitioner, as early as possible preferably within three months from today, in accordance with law.

3 By keeping all points open, Writ Petition is disposed of.

4 Rule disposed of accordingly. There shall be no order as to costs.

(V.L. ACHLIYA, J.)

(ANOOP V. MOHTA, J.)