

IN THE HIGH COURT OF JUDICATURE AT BOMBAY, NAGPUR
BENCH, NAGPUR.

MCA NO.156 OF 2015

IN

WRIT PETITION NO.976 OF 2010

Smt. Ushatai Rameshwarsingh Kachve

..vs..

**State of Mah., thr Additional Commissioner, Amravati Division,
Amravati and ors**

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
.....

Court's or Judge's order

Shri M.A. Vaishnav, counsel for the applicant/petitioner.
Shri D.M. Kale, AGP for NA Nos.1 & 2/Resps.

**CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.**
DATE : FEBRUARY 9, 2015.

Heard.

The writ petition filed by widow opposing reduction / recovery from retirement benefits of her husband admitted for final hearing came to be dismissed in default on 24.12.2014.

Prayer is to restore it. The civil application is moved by learned counsel with personal affidavit. We do not see any *mala fide*, hence order dated 24.12.2014 is recalled and Writ Petition No.976 of 2010 is restored back to file.

Writ Petition No.976 of 2010

Heard Shri M.A. Vaishnav, learned counsel for the petitioner, Shri D.M. Kale, learned AGP for

respondent Nos.1 and 2. Shri J.B. Kasat, learned counsel, for respondent No.3 / Zilla Parishad, is not present.

Only question is whether pending consideration of proposal to initiate departmental enquiry against deceased husband of the petitioner, any amount out of gratuity payable to him could have been withheld.

The parties to note that the writ petition may be disposed of finally on next date of hearing, if it is otherwise convenient to the Court.

List for further consideration on **9.3.2015** in order matters.

JUDGE

JUDGE

!! BRW !!

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