

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

CONTEMPT PETITION NO.225 OF 2013

IN

WRIT PETITION NO.2716 OF 2012

**Smt. Lata w/o Shravanji Zade ..vs.. S. M. Deshpande, Secretary,
 Department of Finance, State of Mah., Mantralaya, Mumbai and ors**

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

Court's or Judge's order

Shri A.R. Rishi, counsel for the petitioner.
 Shri Rohit Deo, ASGI for R-2.
 Shri P.S. Khubalkar, AGP for R-1 & 3.

**CORAM : B.P.DHARMADHIKARI &
 A.P.BHANGALE, JJ.
DATE : JANUARY 13, 2015.**

Heard.

Shri Rohit Deo, learned ASGI, has pointed out that respondent No.2 is not the proper Authority for redressal of the grievance. The pension has been fixed at Bombay. He fairly states that the Authorities at Nagpur found that pension determined at Rs.2,882/- is not correct and it should have been Rs.3,115/-. Accordingly, a communication has been sent to Bombay office and the error may be corrected.

Shri Rishi, learned counsel, submits that though the petitioner has received some arrears, the quantum of pension has not been correctly

fixed. The petitioner is being paid provisional pension only. He seeks determination of pension in accordance with Sixth Wage Revision.

As the petitioner has received provisional pension and arrears, the question whether the amount of arrears or then pension has been correctly worked out or not, shall be looked into if occasion therefor arises by the competent forum in relevant jurisdiction.

However, we direct the respondents to find out the correct question of the pension payable and to release the pension as per said figure, along with consequential arrears (if any) within a period of three months.

With liberty to the petitioner to raise challenge to the computation of arrears or monthly pension before the appropriate forum thereafter, if he is aggrieved thereby, we dispose of the contempt petition. No costs.

JUDGE

JUDGE

!! BRW !!

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