

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13928 OF 2016

Union of India and anr.

.... Petitioners

vs

J. K. Dhar & ors.

.... Respondents

Ms. Anjali Helekar with Mr. S.S. Kanetkar for the petitioner.
None for the respondents.

**CORAM: ANOOP V. MOHTA AND
A. S. GADKARI, JJ.**

DATE : December 22, 2016

ORDER:

The Petitioners-Union of India have challenged the interlocutory order dated 13.10.2016 passed by the Central Administrative Tribunal, Mumbai, whereby, on hearing the Respondents/Applicants only, the learned Tribunal has directed to make provisional pension to the Respondents/Applicants on the basis of “last pay drawn” within four weeks. The statement is that on the basis of substantive salary, the provisional pension has already been released. The issue of “last pay drawn” requires consideration.

Therefore, at this stage, we are inclined to dispose of this Petition by permitting the Petitioners to apply to the Tribunal for appropriate order as the same was *exparte* as the Petitioners were not heard at the time of impugned order in question. Keeping all contentions open, the writ petition is disposed of.

2 No costs.

(A. S. GADKARI, J.)

(ANOOP V. MOHTA, J.)