

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11733 OF 2014

Dr. Anita S. Kumar

... Petitioner.

V/s.

The State of Maharashtra, through the
Principal Secretary, Dept. of Higher &
Technical Education Mantralaya,
Mumbai & Others.

... Respondents.

Mr. S. A. Sawant, Advocate for the Petitioner.

Mr. Vikas Mali, AGP for the State/ Respondent Nos. 1 & 8.

Mr. Rui Rodrigues, Advocate for the Respondent Nos. 3 & 5 to
7.

**CORAM : NARESH H. PATIL AND
A. A. SAYED, JJ.**

DATE : 29th FEBRUARY, 2016.

P.C. :

1 Heard the learned counsel appearing for the parties.

2 It is contended on behalf of the Petitioner that the Petitioner retired as Assistant Professor/Lecturer on 31st May, 2014 on completion of 60 years of age. The Petitioner expected extension of two years but he did not get it. The petitioner has prayed for directions for extension of two

years term and consequent benefits of extension and past service rendered by the petitioner.

3 The learned AGP, on instructions, submits that the Petitioner has been paid gratuity on 20th May, 2015 and Provident Fund on 05.12.2015. The petitioner is getting pension alongwith the benefits of commutation of pension. The learned AGP further submits that the issue concerning the PhD increment arrears remained to be dealt with by the Accountant General. It is submitted that recently the Management forwarded necessary proposal which has been received by the Accountant General.

4 According to the learned counsel for the petitioner, the arrears towards PhD increment comes to Rs. 2,55,955/- which remained to be paid to the Petitioner. As regards the other benefits, the learned counsel for the Petitioner on instructions submits that the petitioner has received those benefits.

5 Learned counsel Mr. Rui Rodrigues on behalf of the University submits that the Management has forwarded necessary proposal and it is now for the Accountant General to take appropriate decision.

6 This petition is pending since the year 2014. We have perused the record. In the facts, we are not inclined to issue direction for continuation of the Petitioner in service for further period of two years.

7 The Joint Director, Higher and Technical Education, Mumbai, Region Mumbai, shall take appropriate decision on the Petitioner's claim towards arrears of PhD increment within four weeks, on its own merits. We do not express any opinion on merits of the claim of the Petitioner.

8 With the above directions, the Petition is disposed of.

(A.A.SAYED,J.)

(NARESH H.PATIL,J.)

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