

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

C.A.W.NO.617/2016 IN W.P.NO. 620/2015.

Abdul Salim Abdul Quaiyum.

-VERSUS-

The State of Maharashtra and others.

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

Court's or Judge's Orders

CORAM : **B.P. DHARMADHIKARI**
& P.N. DESHMUKH, JJ.

DATE : **MARCH 14, 2016.**

Heard Shri B.G. Kulkarni, learned Counsel
for the applicants, Ms. Naik, learned A.G.P. for
respondent nos. 1 and 2 and Shri P.A. Kadu, learned
Counsel for respondent no.3, for some time.

2. Shri Kadu, learned counsel points out that
an order granting approval passed on 04.08.2012 is
sought to be assailed now by amendment.

3. During hearing, we find that the petitioner
has sought clubbing of his earlier service i.e. the
service with earlier grant-in-aid school with present
service, so as to enable him to claim pension as per the

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Maharashtra Civil Services (Pension) Rules, 1982.

4. Shri Kadu, learned counsel is strongly opposing the prayer for amendment. He points out that the petitioner has tendered resignation in that school and therefore, earlier service is forfeited.

5. Merits of this amendment cannot be looked at this stage. We therefore, keep the contention of Shri Kadu, learned counsel open. Civil Application is allowed and disposed of. Necessary amendment be carried out within a period of one week. Liberty to respondents to file additional affidavit if any, within a further period of two weeks.

6. Office to list the matter for further consideration on 05.04.2016.

JUDGE

JUDGE

Rgd.