

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

WRIT PETITION NO.4857 OF 2015.

Mr.Mohammad Jawed Sk.Idu ..vs.. Ahebab Education Soc.Yavatmal & ors.

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

Court's or Judge's orders

Mr.P.S.Raut, Advocate for the petitioner.
Mr.M.M.Ekre, AGP for respondent nos.5 and 6.
Mr.R.R.Joharapurkar, Advocate for resp.no.3 and 4.

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

DATED : APRIL 18, 2016.

Petitioner claims that he has resigned and his resignation is accepted on 14th of August, 2014. However, thereafter no proposal for sanctioning his pension case has been prepared and submitted to the respondent nos.5 and 6.

Advocate Joharapurkar appearing for the Management submits that the petitioner did not handover charge and did not comply with the formalities.

Shri Raut has invited our attention to communication dated 27th of December, 2014 sent by President of Management to urge that the defences being raised are by way of afterthought which we do not wish to go into the factual dispute. The Management has to communicate to the petitioner an order accepting his resignation or then permitting him

to retire voluntarily or on medical ground. If any such order is passed by Management, it is not made available to this Court either by Management or by petitioner.

In this situation, we direct petitioner to report to respondent no.3 – School on 28th of April, 2016 at 11.00 a.m. and to complete such formalities as are required of him by the Management.

The said completion of formalities shall be without prejudice to rights of petitioner and his contentions that he has already done so. After such formalities are completed, the respondent nos.1 to 4 - Management shall issue necessary order to petitioner and shall also forward his case for consideration of respondent nos.5 and 6 as per law within next four weeks.

With these directions, we dispose of writ petition.

JUDGE

JUDGE

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