

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

WRIT PETITION NO. 3380 OF 2015

(Rajesh s/o Bhaurao Thakare vs. State of Maharashtra and others)

Office Notes, Office Memoranda of

Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri M.A. Vishwarupe, Advocate for petitioner.

Shri N.S. Rao, Assistant Government Pleader for
respondent nos. 1 and 4.

Shri N.S. Badhe, Advocate for respondent no.2.

Shri J.B. Kasat, Advocate for respondent nos.3 and 5.

CORAM : B.P. DHARMADHIKARI AND
KUM. INDIRA JAIN, JJ.

DATED : JULY 5, 2016

Various disputed questions of facts arise inasmuch as in EPF withdrawal form, petitioner has mentioned date 12/7/2006 as date of leaving employment, resignation letter placed on record is dated 6/5/2008 while employer has rejected the same vide communication dated 8/7/2009. If rejection is accepted, it is apparent that petitioner could not have received Provident Fund and he could not claim pension or even gratuity.

On the other hand, employer has after rejection of resignation, not initiated any action against petitioner.

In view of this position, with liberty to petitioner to take such other steps as are open in law where all disputed questions can be gone into, we dispose of the petition. No costs.

JUDGE

JUDGE

khj