

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

WRIT PETITION NO.4735 OF 2015

(Dulare s/o Harinarayan Pande 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 H.A. Deshpande, Advocate for petitioner.

Shri K.L. Dharmadhikari, Assistant Government Pleader
for respondent nos.1 to 3.

Shri B.G. Kulkarni, Advocate for respondent nos.4 and 5.

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATED : AUGUST 24, 2016

By this writ petition, the petitioner has challenged the order of Senior Accounts Officer, dated 25/3/2015 asking the Education Officer (Secondary) to re-submit the pension papers of the petitioner to the concerned Authority.

Shri Deshpande, learned Counsel for the petitioner, states that it would not be necessary for this Court to go into the niceties of the matter and decide the issues involved in the writ petition as the petitioner and the respondent Management have entered into a compromise during the pendency of Letters Patent Appeal No. 38/2005. It is stated that the letters patent appeal filed by the respondent Management is disposed of by the judgment dated 27/7/2016 in terms of the compromise petition that was filed by the parties in the letters patent appeal on 27/7/2016.

It is submitted on behalf of the petitioner that the petitioner had continuously worked with the respondent Management till his superannuation on 31/1/2015. It is stated that the criminal proceedings instituted by the respondent Management against the petitioner are quashed in pursuance of the compromise and the respondent Management is ready to send the pension papers of the petitioner to the Education Officer (Secondary) for necessary action. It is further stated that a direction may be issued against the Education Officer (Secondary) to release the arrears of pension as also regular pension to the petitioner at the earliest.

Shri Kulkarni, learned Counsel for the respondent Management, does not dispute the statements made on behalf of the petitioner. It is stated that the respondent Management would send the pension papers to the Education Officer (Secondary) within three weeks with the assistance of the petitioner.

In view of the statements recorded hereinabove, we dispose of the writ petition with a direction to the respondent no.3 Education Officer (Secondary) to release the arrears of pension in favour of the petitioner within a period of four months and start releasing the regular pension to the petitioner from the month of November 2016.

Order accordingly. No order as to costs.

JUDGE

JUDGE

CERTIFICATE

I certify that this order uploaded is a true
and correct copy of original signed order.

Uploaded by :

Kamal H. Jeswani
Private Secretary

Uploaded on :

29/08/2016