

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

Writ Petition No. 4671 of 2015

Shir Ramrao s/o Rajaramji Thakare

Vs.

State of Mah. through its secretary, Rural Development and Water Conservation Ministry,
Mantralaya, Mumbai and others.

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

Court's or Judge's orders.

Shri V.D. Raut, counsel for petitioner.
Shir Fulzele, AGP for respondent no. 1.

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

DATE : 4th April, 2016.

Heard for some time. Petitioner has retired on superannuation. Grievance is, his retirement benefits are not being released. We have heard learned AGP who appears for respondent no. 1. Nobody appears for respondent no. 2 employer.

Learned AGP has only to assist the court pointed out that no due certificate and no inquiry certificate was demanded by the respondent no.1 from Panchayat Samiti, Chimur and Panchayat Samiti, Pombhurna. It is not very clear whether the same have been submitted by those offices.

We find that petitioner has been relieved on 31.3.2012 by formal order on that date. Considering the possibility of delay in settlement of

his case, the provisional pension has also been worked out. However, reason therefor is not apparent.

Petitioner has thereafter made a representation and also served a legal notice. No cognizance thereof appears to have been taken.

In this background, advocate Raut submits that petitioner is begin victimized for no fault on his part. He, therefore prays for a direction to respondent no.2 to release all benefits with necessary interest.

Respondent no. 2 has chosen not to appear though he is served.

In this situation, we direct respondent no. 2 to look into the grievance of petitioner and to take suitable decision within six weeks from today. If the petitioner is entitled to any amount, the same shall be released to him within three months.

Acceptance of said amount will not preclude petitioner from challenging the correctness of the exercise undertaken.

Writ petition is thus partly allowed with cost of Rs. 2,000/- payable by respondent no. 2 to petitioner.

JUDGE

JUDGE