

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONTEMPT PETITION NO. 212 OF 2016
in
Writ Petition No. 398 of 2016

Vijayabai W/o Tukaram Chothawe

Petitioner

V E R S U S

The State of Maharashtra, through
its Secretary, Higher Education
Department, Maharashtra State,
Mantralaya, Mumbai and others

Respondents

Mr. N.D. Kendre, Advocate for the petitioner
Miss. R.P. Gaur, A.G.P. for respondent Nos.1 to 3/State
Mr. S.S. Manale, Advocate for respondent No.4

CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.

DATE : 26th APRIL, 2017

PER COURT :

1. Mr.Kendre, learned counsel for the petitioner submits that the decision of this Court in respect of gratuity and family pension is not being obeyed by respondent No.4.

2. The learned A.G.P. states that as the husband of the petitioner was terminated, the further decisions were not taken by the concerned. It is stated that the husband of the petitioner was terminated on account of his absence on duty.

3. In the case of ***Mohd. Yusuf Mohd. Abdul Aziz Versus State of Maharashtra and others, reported in 2007 (2) Mh.L.J. 276*** it has been observed that such person who had put in more than 20 years service would be entitled to all benefits of his pension.

3. It is stated that the management has forwarded the proposal for No-Dues-Certificate and No-Objection-Certificate to the Joint Director of Higher Education, but the same has not been received. It appears that there were no specific direction in the order of this Court dated 16th April, 2015.

4. The respondent No.3-Joint Director, Higher Education, Nanded Region, Nanded shall process the

said application received from the Management within a period of three months from today with regard to no-dues and no-objection-certificate and shall process the same accordingly. After receipt of the same, the Management shall forward further the proposal of the petitioner and her other service benefits within one month thereafter.

5. With above directions, Contempt Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V. GANGAPURWALA, J.)