

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1 REVIEW APPLICATION (CIVIL) NO. 186 OF 2017
IN WP/2440/2017

PRALHAD MALHARRAO MIRGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Shri. M.D. Narwadkar, Advocate, for petitioner.

Shri. S.B. Pulkundwar, Assistant Government Pleader, for
respondent Nos.1 and 2.

Shri. P.D. Suryawanshi, Advocate, respondent No.3.

**Coram: T.V. NALAWADE &
SANGITRAO S PATIL, JJ.**

Date: 12 June 2017.

ORDER:

1) The application is filed for review of the oral order made by this Court in Writ petition No.2440/2017. the proceeding was filed for relief of directions to the respondent to see that the petitioner gets benefits, amounts like leave encashment, gratuity, pension commutation and benefit of Group Insurance Scheme along with interest thereon. This Court has refused to

grant relief in respect of gratuity and pension commutation as departmental enquiry is going on against the petitioner.

2) Learned counsel for the petitioner submitted that benefit of leave encashment is already granted but the benefit of GIS is not yet granted to which the petitioner is entitled. He submitted that due to concept of group insurance, the petitioner is entitled to get that amount as he has paid his contribution towards group insurance. He submitted that such relief could have been granted and at least to that extent the previous decision can be reviewed and direction can be given to see that benefit of GIS along with interest thereon is given to the petitioner. Other side counsel is heard on this point.

3) This Court has formed opinion that the petitioner is entitled to the benefit of GIS as he has contributed towards that scheme and the departmental enquiry will not come in his way to get that benefit. Only to that extent the review application is allowed and the previous order is modified. The respondents are directed

to see that the GIS benefit along with interest is released in favour of the petitioner. The review application is allowed and disposed of in those terms.

Sd/-
(SANGITRAO S PATIL, J.)

Sd/-
(T.V. NALAWADE, J.)

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