

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8242 OF 2015

(Ramchandra Changdeo Thombre Vs. The State of
Maharashtra and others)

Mr. Ramesh V. Naikaware, Advocate for the petitioner
Mr. V.S. Badakh, A.G.P. for the respondent/State
Mr. P.K. Deshmukh, Advocate for respondent Nos. 3 to 5

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

DATE : 18th APRIL, 2017

ORAL ORDER :

Heard.

2. The dispute between the parties is in a limited compass. Upon an enquiry conducted by the Management, the petitioner was found guilty and was directed to pay an amount of Rs. 45,000/- to the Institution. According to the petitioner, the Institution is not forwarding his pension proposal. The petitioner assails letter dated 13th June, 2015, by virtue of which it is directed to the petitioner to pay an amount of Rs. 45,000/-.

3. The enquiry, it appears, has been concluded and the punishment has been imposed on the petitioner of payment of Rs. 45,000/- to the Institution. Mr.

Naiknavare, the learned counsel for the petitioner, on instructions, submits that the respondents may recover the amount of Rs. 45,000/- from the retiral benefits payable to the petitioner.

4. Mr. Deshmukh, the learned counsel for respondent Nos. 3 to 5 – the Institution submits that the Institution is concerned with safeguarding the amount of Rs. 45,000/-.

5. In the light of above, we pass the following order:-

(i) Respondent Nos. 3 to 5 shall forward the pension papers of the petitioner within a period of six weeks from today. The respondent Authorities shall process the pension papers and sanction the pension and the retiral benefits to the petitioner as may be permissible in law, expeditiously and preferably within three months from the date of receipt of the pension papers.

(ii) While sanctioning the retiral benefits to the petitioner, the Authority concerned shall

deduct an amount of Rs. 45,000/- from the amount of gratuity payable to the petitioner and the said amount shall be remitted to the Institution and rest of the amount shall be paid to the petitioner.

6. With the above directions, the Writ Petition stands disposed of. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

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