

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11787 OF 2016

Jaishree Yadavrao Kharosekar

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri V. J. Dixit, Senior Advocate i/b. Shri Swapnil A. Deshmukh,
Advocate for the Petitioner.

Shri S. W. Mundhe, A. G. P. for Respondent Nos. 1 to 4.

CORAM : **S. V. GANGAPURWALA &**
S. M. GAVHANE, JJ.

DATE : **10th October, 2017**

PER COURT :

1. Mr. Dixit, the learned Senior Advocate for the petitioner submits that the petitioner is making limited prayer i.e. to decide the representation / notice dated 9th May 2016, made by the petitioner and release the Family Pension accordingly. The learned Senior Advocate relies on Rule 101 of the M.C.S. Pension Rules.

2. It appears that the husband of the petitioner was dismissed from service. In view of Sub-Rule 3 of Rule 101 the dismissed employee is not even entitled for compassionate pension.

3. On instructions, the learned Senior Advocate submits that petitioner has received the gratuity amount.
4. Considering the fact that the husband of the petitioner was dismissed after holding departmental enquiry, the claim of the petitioner for release of the family pension cannot be considered.
5. The writ petition is disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]

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