

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4508 OF 2017

Shivaji Ramrao Bhosle
Age: 57 years, Occu. Nil,
R/o Handargulli Tq. Udgir
Dist. Latur.

.. Petitioner

VS.

1. The State of Maharashtra,
Through its Secretary,
Agricultural, Animal Husbandry, Dairy
and Fishery Development, Department,
Mantralaya Mumbai – 32.

2. The Vasantrya Naik Marathwada
Agricultural University, Parbhani
Through its Registrar.

.. Respondents

Mr. S. K. Chavan, Advocate for the petitioner
Mr. S. B. Yawalkar, A.G.P. for the respondent No.1/State
Mr. M. N. Navandar, Advocate for respondent No.2.

**CORAM : R. M. BORDE &
SMT. VIBHA KANKANWADI. JJ.**
DATE : 26-09-2017

PER COURT :

1. The petitioner has tendered an application to the Registrar,
Vasantrya Naik Marathwada Agricultural University, Parbhani,
requesting for grant of pension under Rule 66 of Maharashtra Civil

Services (Pension) Rules, 1982. The petitioner had served the respondent university for period more than 20 years and claims his entitlement to pension. Services of the petitioner have been terminated, in view of the order passed by the Registrar on 10-10-2002.

2. The petitioner contends that, since the services have been terminated and that he has not been dismissed from services, his claim is liable to be considered under Rule 101 of the Maharashtra Civil Services (Pension) Rules, 1982.

3. Considering the contentions raised by the petitioner, the respondent university is directed to consider the claim of petitioner recorded in representation tendered by the petitioner on 24-08-2016, on its own merits and in accordance with law. The respondent university may consider request of the petitioner within frame work of Rules 101 of Maharashtra Civil Services (Pension) Rules, 1982, and shall not turn down the request merely on the ground that the petitioner has quoted any erroneous or inapplicable provision.

4. It would be open for the university to forward the proposal to the State Government if the claim of petitioner is found to be

admissible, and on receipt of such proposal it would be open for State Government to consider the same and it shall be considered expeditiously and preferably within period of four (04) months from the date of its receipt. The university shall consider the representation tendered by the petitioner within period of three (03) months from today.

5. With the directions as above, writ petition is disposed of.

[SMT. VIBHA KANKANWADI]
JUDGE

[R. M. BORDE]
JUDGE

vjg/-.