

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 9596 OF 2017

Padmakar Dayaram Bhamare

... Petitioner

Vs

1 State of Maharashtra & Ors.

... Respondents

Mr. R.K. Mendadkar for the Petitioner.

Mr. P.D. More, AGP, for the Respondent-State.

**CORAM : S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

THURSDAY, 12TH OCTOBER, 2017

P.C. :

1 The petitioner states that having served the Panchayat Samiti, Malegaon, as a driver and completed his service, so also retired therefrom on 31st May, 2017, the petitioner is unable to draw the pension simply because the competent authority has yet not verified and scrutinized his claim.

2 The claim is pending with the Committee from 20th December, 2011.

3 In such circumstances, we direct the Scheduled Tribe Caste Scrutiny Committee, Nashik, to scrutinize and verify the claim of the petitioner in accordance with the Act 23 of 2001, as expeditiously as possible and within a period of two months from the date of receipt of a copy of this order. The Committee shall not seek any extension of time but must bear in mind that the petitioner is a retired employee and even a provisional pension has not been released because of the claim pending before the Committee.

4 The Writ Petition is disposed of by this direction and by keeping open the issue of a provisional pension. In the event the Scrutiny Committee is unable to decide the claim, we would not hesitate to direct the Zilla Parishad, Nashik to pay provisional pension to the petitioner. Liberty to seek that and other reliefs. The Writ Petition is disposed of in these terms.

SMT. BHARATI H. DANGRE, J.

S.C. DHARMADHIKARI, J.