

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO.861 OF 2013

IN

WRIT PETITION NO. 549 OF 2012(P)

(PROGRESSIVE EDUCATION SOCIETY & ANR...VS.. VIJAY GOVINDRAO RAJURKAR & 2 OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.P.Thakare, Adv.h/f. Shri Anand Parchure, Adv. for
Applicants.

Shri H.N.Potbhare, Advocate for Respondent No.1.

Shri N.R.Patil, A.P.P. for Respondent No.2.

CORAM : Z.A.HAQ, J.

DATED : JULY 07, 2017.

By this application the original petitioners seek review of the order passed by this Court on 16th August, 2013 by which the prayer made by the petitioners for interim order was not granted. The prayer of the petitioner to stay the directions given by the School Tribunal to reinstate the respondent No.1-employee was not granted and the petitioner -management was directed to deposit 50% of the amount of back-wages as directed by the Tribunal with the Registry of this Court within eight weeks.

The learned advocate for the petitioners and the learned advocate for the respondent No.1-employee have submitted that the respondent No.1 employee has retired on attaining the age of superannuation and he is paid the emoluments for which he was entitled. It is stated that the case of the respondent No.1-employee for finalizing his claim for pension is sent to the Education Officer, however, the Education Officer has not taken any decision in the matter.

Shri N.R. Patil, learned A.G.P. has submitted that the Education Officer has completed all the formalities required at his end and presently the papers are pending before the Secretary of the Department at Mantralaya.

In these facts, the prayer made in the review application does not require any consideration as it has become infructuous. The review application is **disposed** as infructuous.

However, considering the facts of the case, it is open to the parties to take appropriate steps so that the case of the respondent No.1-employee regarding grant of pension can be finalized at the earliest possible.

JUDGE

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