

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 2581 OF 2017
WITH
CIVIL APPLICATION NO. 9840 OF 2017

Sudhakar s/o Nivruttirao Kadam

..Petitioner

Versus

The State of Maharashtra and ors.

..Respondents

Mr N.L. Jadhav, Advocate for petitioner
Mrs M.A. Deshpande, A.G.P. for respondent no.1
Mr s.s. Dambe, Advocate for respondent no.3
Mr H.A. Joshi, Advocate for respondent no.4

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVALA, JJ**

DATE : 25th January 2018

PER COURT

1. We have heard the learned Advocates for respective parties.
2. The petitioner claims to have been appointed on 11.10.1993. The approval to his services is w.e.f. 1.4.1995. The employer has filed affidavit that the approval is not granted for a period from 11.10.1993 to 31.3.1995, the other objections are complied with.
3. The petitioner would not be entitled to pension, if his services are considered from 1.4.1995 and would be entitled for pension, if his services are considered from 11.10.1993, as the petitioner has taken voluntary retirement.
4. Learned Advocate for respondent no.4 submits that respondent no.4 would submit the proposal for approval to the respondent no.3 of appointment from 11.10.1993 to 31.3.1995.

5. In case, such proposal is sent, respondent no.3 shall decide the same expeditiously, preferably within three months from the receipt of proposal.
6. In case the respondent no.3 decides the proposal in favour of the petitioner, then the Management may take further steps of forwarding pension proposal. In case the respondent no.3 decides against the petitioner, liberty to the petitioner to take further steps.
7. Writ Petition is accordingly disposed of. No costs.
8. In view of disposal of writ petition, Civil Application stands disposed of.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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