IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

970 WRIT PETITION NO. 12526 OF 2017

AVINASH VASANT KANGUNE ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

…

Mr. Madhukar R. Dhamane, Advocate for the Petitioner.
Mr. S. P. Sonapawale, AGP for Respondent-State.
Mr. Ashwin V. Hone, Advocate for Respondent Nos.2 and 3.

…

CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.

DATED : 15th JUNE, 2018.

PER COURT:-

1. The petitioner claims benefit of leave encashment in respect of the service rendered by his father.

2. We have heard the learned counsel for the petitioner. The learned counsel for the petitioner relies on the Government Resolution dated 27.08.2009.

3. It is submitted by the learned counsel for the petitioner that the father of the petitioner was serving with respondent no.2 and retired on 01.06.2005. According to the learned counsel, the benefits of leave encashment has not been given.

4. The petitioner claimed to be the legal heirs of the deceased. The father of the petitioner died on 14.11.2012. It is stated that the father of the petitioner made an application on 22.11.2011 to the respondent. However, thereafter, the same was not prosecuted and the petitioner has also filed the present writ petition only in the year 2017, claiming the benefits of leave encashment set to be available to the deceased father of the petitioner. No reason is mentioned by the legal heirs for not filing the petition for such a long period. Not a single reason is mentioned in the petition for not filing the petition earlier. The necessary factual details also are not spelt out in the pleadings.

5. Considering all the aforesaid grounds, the grievance now cannot be considered.

6. Writ Petition stands disposed of. No costs.

(SUNIL K. KOTWAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/June-18