

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

WRIT PETITION NO.312 OF 2018

Prof. Dr. Ankush Dattatraya Bandal

..Petitioner

Versus

The State of Maharashtra and others

..Respondents

**Mr. A. R. Belge I/by Mr. N. A. Kulkarni, Advocate for the
Petitioner.**

Mr. S. B. Kalel, AGP for Respondent Nos.1 & 2.

CORAM : B. R. GAVAI &

M. S. KARNIK, JJ.

DATE : 19th OCTOBER, 2018

P.C.

1] Rule. Rule made returnable forthwith. Heard by consent.

2] Facts in the present case are identical with the facts in Writ Petition No.4962 of 2016. From the perusal of affidavit in reply itself, it would reveal that the case of the Petitioner for extension of superannuation age from 60 to 62 was considered by the Performance Appraisal Committee and approval was granted for continuation of services from 1st March 2012 to 28th February 2014.

3] In that view of the matter, the Petition deserves to be

allowed in the following terms :-

ORDER

- I] It is held and declared that the Petitioner is entitled for the salary for the period which he was not allowed to work. Respondent No.3 college which is duly served is directed to submit the salary bills of the Petitioner for the period for which he was not allowed to work to Respondent No.2 within a period of four weeks from today. On receipt of such bills, Respondent No.2 shall process the same and make payment to the Petitioner within a period of eight weeks from thereafter.
- II] The Respondents shall calculate pensionary benefits considering the Petitioner to be in continuous service till the extended date of retirement including arrears which the Petitioner may be entitled due to extended date of retirement.

III] Rule is made absolute in the aforesaid terms. No
costs.

[M. S. KARNIK, J.]

[B. R. GAVAI, J.]