

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

WRIT PETITION NO. 3682/2018

Dr. Vandana D/o Balkrishna Mahatme

..VS..

State of Maharashtra & ors.

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

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI AND
Z.A.HAQ, JJ.

DATED : 13/08/2018

1] Petition has been filed with a prayer to continue petitioner in employment till she attains the age of 62 years or in alternate to direct employer to forthwith submit pension papers to respondent no. 3 for releasing the pension.

2] This Court has on 28/06/2018, while issuing notice, permitted the petitioner to continue subject to rider that she would not earn any salary for work done. After hearing Advocate Meshram for petitioner and Advocate Meghe for respondent nos. 5 and 6, we find departmental enquiry against petitioner is already over. Out come there does not form subject matter of consideration in this petition.

3] Advocate Meshram, upon instructions, submits that if respondent nos. 5 and 6 forward pension case to respondent no. 3 and it is expedited, grievance of petitioner will stand redressed.

4] Advocate Meghe makes a statement that within four weeks, pension papers will be forwarded to respondent no. 3. Ms. H.N. Prabhu, learned AGP appearing for respondent nos. 1 to 3 and Advocate Agrawal for respondent no. 4/University state that pension proposal needs to be processed as per law.

5] Hence, with direction to respondent nos. 5 and 6 to submit pension case with necessary papers to respondent no. 3 within four weeks from today and with further direction to other respondents to take necessary steps for its expeditious consideration as per law, we dispose of present writ petition. No costs. Needless to mention that final decision of pension case shall be taken in any case within next three months.

6] Request of petitioner for grant of interest in terms of Rule 129 (A) and Rule 129 (B) of the Maharashtra Civil Services (Pension Rules), 1982 is kept open and will be looked into after petitioner receives the pension amount, if occasion therefore arises.

JUDGE

JUDGE

Ansari