

IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.

WRIT PETITION NO. 6899 OF 2018

Vikram S/o. Sambhaji Karadkhele & Ors. Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

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Mr Sachin S. Deshmukh, Advocate for the petitioner

Mr Vitthal M. Chate, Advocate for respondent No. 3

Mr Kamlakar J. Suryawanshi, Advocate for respondent No. 4

Mr A. G. Deshmukh h/f Mr Patil (Beedkar), Advocate for respdt No. 5

Mr Nilkanth P. Bangar, Advocate for respondent No. 7

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

DATE : 21ST JANUARY, 2019

ORAL ORDER:

1. Mr V. M. Chate, learned counsel for respondent No. 3 submits that, the petitioners No. 1, 2 and 4 are absorbed. Petitioner No. 5 has attained the age of superannuation and petitioners No. 3 and 6 were allotted the school for absorption but those schools did not allow petitioners No. 3 and 6 to join. The steps are taken against those schools for not absorbing these petitioners.

2. It is not disputed that, the salaries are paid to these petitioners.

3. Now the only issue is about pension proposal of petitioner No. 5. It is not disputed that the petitioner No. 5 attained the age of superannuation in June – 2018. It is submitted that the petitioner No. 5 stood relieved on being declared surplus in October – 2017 from respondent No. 4 school. Till the date the petitioner No. 5 attained the age of superannuation, the petitioner No. 5 was not absorbed. In view of that, only respondent No. 4 would be competent to forward the pension proposal to the authority. The respondent No. 4 shall consider the record and if there are some deficient documents, the petitioner No. 5 shall make good those deficient documents and forward the pension proposal to the respondent No. 3, who in turn will further process it and take appropriate steps. The pension proposal shall be forwarded by respondent No. 4 to the respondent No. 3 within 6 weeks from today. The petitioner No. 5 shall cooperate with the respondent No. 4 for completion of the pension proposal. On receipt of the pension proposal, the respondent No. 3 would process the same within a period of two months from the date of receipt of the pension proposal.

4. The writ petition is accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde