

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

WRIT PETITION NO. 9228 OF 2018

Ervant Gangaram Suknikar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Dr. Shrikant K. Patil, Advocate for the Petitioner.

Shri P. S. Patil, A.G.P. for Respondent Nos. 1 and 2.

Shri Bhagwat A. Shinde, Advocate for the Respondent No. 3.

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

DATE : 04TH MARCH, 2019.

FINAL ORDER :

. Dr. Mr. Patil, the learned advocate for the petitioner submits that, against the order of penalty, the petitioner has approached the Commissioner, however, the pension is not sanctioned.

2. Mr. Shinde, the learned counsel for the respondent No. 3 submits that, the provisional pension is sanctioned.

3. As far as challenge to the penalty is concerned, the petitioner has remedy before the Commissioner. The petitioner may approach the Commissioner in that regard. As far as

pension is concerned, the respondent No. 3 shall process the pension papers of the petitioner, considering the penalty imposed. The same shall be done expeditiously and preferably within a period of nine (09) months from today.

4. In case, the petitioner approaches the Commissioner against the order of penalty imposed upon her, then the pension can be revised, if the Commissioner allows the appeal of the petitioner. However, for the same pension proposal cannot be withheld.

5. In view of the above, the writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb / March 19