

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10350 OF 2018

Gangaram s/o Narayanrao Gawande ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. B.S. Kudale, Advocate for Petitioner
Mr. S.G. Karlekar, Assistant Government Pleader for
Respondent/State
Mr. P.P. Dama, Advocate for Respondent Nos. 3 to 5

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

DATE : 18th FEBRUARY, 2019

ORAL ORDER:

1. According to the petitioner, though he is superannuated in the year 2004, as yet, pension is not paid to the petitioner and other retiral benefits such as gratuity, leave encashment are not paid.
2. Mr. Dama, the learned Counsel for the respondents submits that the penalty is imposed upon the petitioner of deducting Rs.25/-. So also, there are dues in respect of the loan obtained by the petitioner.
3. According to Mr. Kudale, the learned Counsel, as far as one Pathpedthi is concerned, No Dues Certificate is obtained and

towards another Pathpedthi, only Rs. 34,000/- is due and payable by the petitioner.

4. In the affidavit filed by respondent - Zilla Parishad, no reasons are mentioned for withholding and not processing the pensionary benefits of the petitioner.

5. The respondents shall process the proposal of the petitioner vis-a-vis all the retiral benefits within a period of three months from today. In case there is no impediment, then the pensionary benefits/retiral benefits shall be paid to the petitioner as admissible, retaining the amount, which is due and payable by the petitioner to the Patpedhi. The petitioner shall give the details of the amount outstanding to be payable in case the same is required by the respondents. The process shall be concluded expeditiously as observed supra.

6. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

mta