

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14352 OF 2018

Shri Shantaram Vitthal Babar .. Petitioner
Vs.
The State of Maharashtra and ors. .. Respondents

Mr.Sagar A. Mane, for the Petitioner.
Ms.M.S.Bane, AGP for Respondents No. 1, 6 & 7- State.
Mr.P.N.Joshi, for Respondents No.2 & 3.
Petitioner – Shri Shantaram V. Babar is present.
Shri Pandurang Shinde, President of Respondent No.2 is present.

CORAM : M.S.KARNIK, J.

DATE : 19th MARCH, 2019

P.C. :

. Rule. The respondents waive service. By consent,
Rule made returnable forthwith and heard finally.

2. Heard learned Counsel for the petitioner and learned Counsel for the respondents. The petitioner has filed an affidavit which is affirmed today i.e. 19/03/2019. The parties have arrived at some understanding as under:

3. In the affidavit, the petitioner has stated that he undertakes to withdraw the Writ Petition. He has further stated that he would not claim any monetary benefits by way of salary etc. from the respondent No.2 - Sudharak Shikshan Sanstha, Tembhu Tal. Karad, Dist. Satara, as he has not worked with the Institution after the order of suspension. He further confirms that he has filed affidavit which is annexed to affidavit in reply filed by respondent No.2. He says that contents therein are correct and he is not disputing the contents. He says that with a view to derive some pensionary benefits, respondent No.2 has agreed that the petitioner will be reinstated as on today and that the respondents No.2 & 3 will help him in submitting the necessary papers to concerned authorities for enabling him to get some pensionary benefits. He has further stated that such was the understanding which was arrived at even before the Lok Adalat. He submits that he therefore be permitted to withdraw the present Writ Petition subject to what is stated hereinabove.

4. Learned Counsel for the respondents No. 2 & 3 on

instructions of President of respondent No.2- Shri Pandurang Shinde who is personally present in the Court today, would submit that respondent No.2 would reinstate the petitioner as on today and they will submit the necessary pension papers to the concerned authorities. He further states that respondent No.2 would abide by the arrangement arrived at before the Lok Adalat.

5. In this view of the matter, respondent No.2 is willing to reinstate the petitioner and submit the necessary pension papers for consideration of the authorities concerned, after petitioner's retirement. The pension papers would obviously be considered by the concerned department i.e. Education Officer in accordance with law. Affidavit is taken on record.

6. Subject to what is indicated hereinabove, the Petition is allowed to be withdrawn. Rule is disposed of in the above terms.

(M.S.KARNIK, J.)