

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

CIVIL APPLICATION (CAW) NO.1713 OF 2019
AND

WRIT PETITION NO.5386 OF 2015

(MEGNATH BHAGWAT RAHANGDALE....VS.. SHRI SAMARTH EDUCATION SOCIETY DANDEGAON
& OTH.)

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

Court's or Judge's orders

Shri R.L.Khapre, Advocate for Petitioner.
Shri R.S.Parsodkar, Advocate for Respondent No.2.
Ms Geeta Tiwari, A.G.P. for Respondent No.4.
Shri K.P. Mahalle, Advocate for applicant in CAW No.431/18.

CORAM : Z.A.HAQ, J.

DATED : JULY 02, 2019.

The writ petition is disposed in terms of compromise, the terms of which are recorded in paragraph No.5 of Civil Application No. 1713 of 2019. The respondent Nos. 1 to 3 undertake to abide by the terms of compromise. The case of the petitioner/employee for pension and other retirement benefits, shall be forwarded by the management and Headmaster of the school to the respondent No.4-Deputy Director till 30th September 2019.

After examining the matter and hearing the learned Assistant Government Pleader, I find that the petitioner/ employee had rendered qualifying service and was eligible for pension and other retirement benefits when he was dismissed from service.

Now, the order of dismissal is withdrawn by the management and the management has decided to reinstate the petitioner-employee and had reinstated the petitioner-

employee on 11/02/2019 before he attained the age of superannuation. Hence, there is no legal impediment in the way of the respondent No.3-Deputy Director in finalizing the claim of the petitioner/employee for pension and other retirement benefits. The respondent No.4-Deputy Director shall ensure that the decision in the matter is taken till 30th November 2019.

The writ petition and Civil Application No.1713 of 2019 are **disposed** accordingly.

CIVIL APPLN.NOS. 431/2018, 637/2018 & 1756/2018.

In view of disposal of the writ petition, Civil Application No.431/2018 praying for permission to appear on behalf of respondent No.1, Civil Application No. 637 of 2018 praying for substitution of name of newly appointed Secretary, Civil Application No.1756 of 2018 praying for recording compromise between the petitioner and respondent Nos. 1 and 3 do not survive, hence, all the applications are **disposed**.

JUDGE