

Pradnya Bhogale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2014 OF 2020

Sushil Sadanand Sawant

..Petitioner

vs.

The State of Maharashtra and Ors.

..Respondents

.....

Mr. Deven Jogdeo for Petitioner.

.....

**CORAM : NITIN JAMDAR &
M.S.KARNIK, JJ.**

DATE : 3 MARCH 2020

P.C.:-

In this Petition, the Petitioner has prayed to stop the post retiral benefits to the Police Officer given by the Respondent-State Government. The said officer is not joined as a party Respondent. Petitioner has also sought that the amount paid to the said police officer should be recovered from the date of his promotion. The Petitioner has based his locus to make these prayers on the fact that he had made a complaint against the said police officer. As far as matters of post retiral benefits are concerned they are matters of employer-employee relationship vis-a-vis State Government and its employees. It is for the State

Government to stop the retiral benefits or to recover excess amount as per rules and service conditions as applicable. In service matters even in Public Interest Litigation the Courts have been reluctant to interfere and issue directions. In view of this position, for lack of locus on behalf of the Petitioner, we dispose of the Petition.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)