

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

WRIT PETITION NO.5814/2019

Rehana Begum w/o Sheikh Sufdar

...Versus...

**State of Maharashtra, through Secretary to the Govt. of Maharashtra, School
Education and Sports Department, Mumbai – 400 032 and others**

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

Court's or Judge's orders

Ms Archita M. Sudame, Advocate for petitioner
Shri S.U. Ukey, Addl. G.P. for respondent nos.1 to 3
Shri M.I. Dhattrak, Advocate for respondent no.4

**CORAM : DIPANKAR DATTA, C.J. &
A.S. CHANDURKAR, J.**

DATE : AUGUST 27, 2020

1. Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. The petitioner assails the order dated 13/02/2019, issued by the respondent no.1, whereby he has refused to condone the deficiency of five months and 21 days in the total qualifying service of the petitioner under Rule 54 of the Maharashtra Civil Services (Pension) Rules, 1982 and thereby disallowed the prayer for pension.

3. We have heard the learned Advocates for the parties. It is not in dispute that the issue in this writ petition is covered by the Coordinate Bench decision dated 12/02/2020, passed in Writ Petition No.4581/2019.

4. In that view of the matter, the impugned order stands quashed. The respondent no.2 shall reconsider the case of the petitioner, in the light of the observations made in the said order dated 12/02/2020. Let the exercise be completed as early as possible but not later than six weeks from the date of receipt of this order.

5. The writ petition is disposed of accordingly. No order as to costs.

6. The order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

CHIEF JUSTICE

Wadkar

**Shailendra
Wadkar**

Digitally signed
by Shailendra
Wadkar
Date: 2020.08.27
16:33:35 +0530