

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3243 OF 2021

Abasaheb Pandurang Palekar

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.Ajit Kenjale, i/b. Mr.Rajesh L.Dharap for the Petitioner.

Mr.S.B.Kalel, A.G.P. for the State – Respondent no.1.

Mr.Milind Deshmukh for the Respondent – Management.

CORAM: R. D. DHANUKA AND
R.I.CHAGLA, JJ.

DATE : 26th JULY, 2021
(THROUGH VIDEO CONFERENCE)

P.C:-

There is serious dispute raised by the petitioner in respect of his date of birth. The case of the management is that the petitioner has already stood retired by superannuation on 30th June, 2021.

2. It is the case of the petitioner that various representations are made by the petitioner including the last representation on 8th March, 2021 annexed at page 35 of the petition.

3. At this stage, we are not inclined to permit the petitioner to work on the post which was held by the petitioner prior to 30th June, 2021.

However, we direct the respondent nos. 3 and 4 to consider the representation made by the petitioner annexed to the petition within eight weeks from today and communicate the order that would be passed to the petitioner. While considering the representation made by the petitioner, respondent nos. 3 and 4 shall also consider the payment of salary, if any, payable to the petitioner and shall communicate that decision also to the petitioner.

4. This Court has not expressed any views on the merits of the matter. All contentions of both parties are kept open.

5. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.I.CHAGLA, J.]

[R. D. DHANUKA, J.]