

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

WRIT PETITION NO.605 OF 2021

Bhojraj S/o Motiramji Bhokre

... Petitioner

Versus

The State of Maharashtra and others

... Respondents

Mr. V.A. Kothale, Advocate for Petitioner.

Mr. A.S. Fulzele, Additional Government Pleader for Respondent
Nos.1 to 4.

CORAM : NITIN JAMDAR &
ANIL S. KILOR, JJ
DATE : 1 FEBRUARY 2021

P.C.:

In view of the order that we propose to pass, it is not necessary to issue notice to the Respondent Nos.5 and 6.

2. The limited grievance of the Petitioner is that after the Petitioner was rendered surplus and asked to join in the Respondent No.5- School run by the Respondent No.6- Management, there was a delay in joining, which caused break in service from 22 May 2001 to 29 August 2005.

3. The learned Counsel for the Petitioner states that unless this break is condoned, the Petitioner's pensionary benefits will be affected, as he is retiring at the end of the year 2021. The learned

Counsel also submits that a favourable recommendation has been made to the Respondent No.2 by the Respondent No.3.

4. Apart from the favourable recommendation upon which we do not comment at this stage, the fact remains that the proposal regarding the treatment of the period from 22 May 2001 to 29 May 2005 is pending with the Respondent No.2. Considering the fact that the Petitioner is retiring at the end of this year, we direct the Respondent No.2 to take a decision in this regard on its own merits within a period of three months from today.

5. The Petition is accordingly disposed of.

(ANIL S. KILOR, J)

(NITIN JAMDAR, J)

Lanjewar

**Prashant
Lanjewar**

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by Prashant
Lanjewar
Date: 2021.02.04
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