

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

297 WRIT PETITION NO.10985 OF 2022

SURESH ONKAR NEMADE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH THE SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. Navin S. Shah, h/f Mr. Swapnil S. Patil.
AGP for Respondent/State: Mr. S. K. Tambe.
...

CORAM : **RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 14th November, 2022.

P.C.:

1. The petitioner is aggrieved that respondent No.3 Education Officer (Secondary), Zilla Parishad, Jalgaon has not forwarded the pension proposal of the petitioner received by him from respondent No.4 school, to the competent authority, which is respondent No.2.
2. The learned AGP appears on behalf of respondent No.3 and submits that if the pension proposal is in order, the same would be forwarded. If there are any deficiencies, such deficiencies would be pointed out to respondent No.4.
3. In view of the above, this petition is disposed off.
4. If the proposal forwarded by respondent No.4 is complete in all

respects, respondent No.3 shall forward the same to respondent No.2, on or before 15th December, 2022. If there are any deficiencies, respondent No.3 shall call upon respondent No.4 to remove the deficiencies, on or before 3rd December, 2022 and thereafter, promptly forward the proposal to respondent No.2.

5. Needless to state, if the petitioner is not entitled for pensionary benefits in the light of the following judgments, this order would not mandate respondent No.3 for sending the proposal to respondent No.2:

- i) *Order dated 28/01/2015*, delivered at Nagpur, in *Writ Petition No.6630 of 2013 (Kiran Keshavrao Girhe & Others Vs. State of Maharashtra and Others)*,
- ii) *Judgment dated 31/03/2015*, delivered at Aurangabad, in *Writ Petition No.2311/2013 (Satish Ganpatrao Patil & Ors. Vs. The State of Maharashtra and Others)*,
- iii) *Order dated 01/10/2022*, delivered at Aurangabad, in *Writ Petition No.2074 of 2020 (Raju Kishanrao Pawar Vs. The State of Maharashtra & Others)*,

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]

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