

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5066 OF 2017

Samarth Shikshan Mandal & Charity Trusts .. Petitioner

Versus

Hemlata D. Shinde & Ors. .. Respondents

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- Mr. N.V. Bandiwadekar i/by Mr. Sagar Mane for the Petitioner
 - Mr. Girish Agarwal for Respondent No. 1
 - Mr. Ameya Tamhane i/by Mr. Ravindra Dhond for Respondent No. 2
 - Mr. P.P. Pujari, AGP for the State
 - Mr. Vijay Shriram Joshi, Chairman of Petitioner Trust is present
 - Ms. Hemlata D. Shinde, Respondent No. 1 is present
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 24, 2022

P.C.:

Heard.

1. The parties have amicably settled the dispute and filed Minutes dated 24.03.2022 which are signed by the learned Advocates for the Petitioner and Respondent No.1. The Minutes are taken on record and marked 'X' for identification.

2. Mr. Vijay Shriram Joshi, Chairman of the Petitioner Trust is present before Court. Ms. Hemlata D. Shinde, Respondent No.1 is also present before the Court.

3. Admittedly, Respondent No. 1 has retired on 31.10.2018 as Assistant Teacher from the school of the Petitioner Trust. Respondent No. 1 is also receiving retirement pension as per the pay scale under the 6th Pay Commission.

4. The Petitioner Trust has submitted that they are ready to submit a proposal to the Respondent No. 4 - The Education Inspector for revision of retirement pension of the Respondent No. 1 as per the pay scale under the 7th Pay Commission within a period of four weeks from today and the Respondent No. 4 be directed to decide the said proposal in accordance with law within a period of four weeks thereafter and release the revised pension along with arrears to the Respondent No. 1.

5. Respondent No. 1 has agreed to the above settlement proposed in respect of all her claims. Mr. Agarwal, Advocate appointed by the Court to assist the Respondent No.1 has explained the same to the Respondent No. 1.

6. In view of the above, the impugned Judgment and Order dated 06.04.2017 passed by the School Tribunal is quashed and set aside and the Appeal bearing No. 24 of 2016 filed by the Respondent No. 1 stands dismissed.

7. Respondent No. 1 shall approach the Petitioner within a period of one week from today for signing the above proposal and submit any additional documents, if necessary, to be annexed to the said proposal.

8. The Petitioner shall forward the complete proposal as agreed, to the Respondent No.4. Respondent No.4 is directed to process the proposal for revision of retirement pension as per pay scale under 7th Pay Commission in respect of Respondent No.1, decide the said proposal in accordance with law within four weeks from the date of receipt of the proposal from the Petitioner and release the revised pension alongwith arrears to the Respondent No.1 within a period of two weeks thereafter.

9. In view of the above directions, the Writ Petition stands disposed of.

10. This Court expresses its appreciation for the assistance rendered by Mr. Girish Agarwal, Advocate appointed by the Court to assist the Respondent No. 1.

[MILIND N. JADHAV, J.]

RAVINDRA
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AMBERKAR

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