

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2520 OF 2017

Sushil Trikha	..	Petitioner
v/s.		
University of Mumbai & 2 Ors.	..	Respondents

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Mr. Surel Shah, a/w. Mr. Kaushal Tamhane, i/b. Dhanuka & Partners,
for the Petitioner.

Mr. Rui Rodrigues, for Respondent No.1.

Mr. Kedar Dighe, AGP, or Respondent No.3.

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**CORAM: NITIN JAMDAR &
AMIT B. BORKAR JJ.**

DATE : 7 JANUARY 2022.
(Through Video Conferencing)

P.C:-

Heard learned Counsel for the parties. Taken up for disposal.

2. The Petitioner, who has retired on superannuation as a lecturer of Industrial Psychology from Respondent College on 31 August 2009, did not receive any pension. The Petitioner has passed

away during the pendency of the petition and the petition is prosecuted by her husband.

3. By communication dated 5 January 2010, the Respondent State had rejected the proposal submitted by the Respondent Educational Institute in respect of pensionary benefits of the Petitioner pointing out certain shortfalls and irregularities as stated at the end of Respondent Educational Institute.

4. The learned Counsel for the Petitioner submits that the grounds raised by the State were not because of any fault of the Petitioner. He states that subsequently on 8 January 2013, pension papers were resubmitted and thereupon also no decision is taken.

5. This state of affairs cannot continue. Respondent No.3 is directed to take decision upon the proposal submitted by Respondent College on 8 January 2013, which is annexed to the reply filed by the Respondent College in this petition. The copy of the reply, which is available with the office of the Government Pleader, be forwarded to Respondent No.2 so that a decision can be taken. Respondent No.3 will take a decision within period of three months and communicate the same to the Petitioner. It will be open to the Petitioner to submit the documents for consideration of Respondent No.3 in addition to the proposal of the Respondent College. The same shall be done by the Petitioner within period of two weeks.

6. The writ petition is disposed of in above terms.

(AMIT B. BORKAR J.)

(NITIN JAMDAR, J.)