

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 530 OF 2017

Miriam Grace Rodrigues.

...Petitioner.

Versus

The Director of Education (Schools)
and Others.

..Respondents.

Mr. Ashish Mehta for the Petitioner.

Mr. Himanshu Takke, AGP for the Respondent-State.

Ms. R. M. Hajare for the Respondent-MCGM.

*Mr. Manoj Gujar, Ms. Divya Yajurvedi and Mr. T. R. Yadav i/b C. R. Naidu
& Co., for Respondent No. 3.*

CORAM : NITIN W. SAMBRE &
SHARMILA U. DESHMUKH, JJ.

Date : December 14, 2022.

P. C. :

1. It is not in dispute that post superannuation, the Petitioner, who was an employee of Respondent Nos.3 and 4–institution, has received gratuity.

2. The dispute in the petition pertains to the applicability of 5th / 6th Pay Commission and the benefits to which the Petitioner is entitled.

3. Having regard to the nature of claim put forth by the Petitioner, it will be appropriate, in our opinion, to dispose of the

petition with direction to Respondent No.2 to decide the claim of Petitioner for entitlement to the benefits of 5th / 6th pay commission and gratuity after hearing the Petitioner and Respondent Nos.3 and 4. If such application / representation is taken out by the Petitioner, the same be decided in accordance with law and as expeditiously as possible.

4. The petition stands disposed of.

[Sharmila U. Deshmukh, J.]

[Nitin W. Sambre, J.]