

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

WRIT PETITION NO. 6430 of 2019

Vinod Tukaram Thakre

vs.

Education Officer (Secondary), Zilla Parishad, Yavatmal and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P. S. Patil, Advocate for petitioner.

Shri D. P. Thakre, Additional Government Pleader for respondent nos. 1 and 3.

Shri R.D.Dhande, Advocate for respondent no.2.

CORAM :- A.S.CHANDURKAR AND M. W. CHANDWANI, JJ.

DATE :- NOVEMBER 15, 2022

The petitioner seeks release of pensionary benefits pursuant to his retirement from the post of Head Clerk at the respondent no.2-School. The petitioner has not received his pensionary benefits for the reason, according to the respondent no.2, that the petitioner himself received back his original service book from the Office of the Education Officer (Secondary) and thereafter he sought to make insertions therein. By filing a pursis the respondent no.2 has placed on record photocopy of the said service book.

Be that as it may, we are not inclined to enter into that controversy. The dispute can be resolved by directing the respondent no.2-School to forward the petitioner's service book alongwith the proposal for release of pensionary benefits in accordance with the Rules to the Education Officer (Secondary). On receipt of the same, the Education Officer (Secondary) can examine the record and seek clarification, if required. Accordingly, the following directions would meet the ends of justice.

(i) The respondent no.2-School shall forward the service book and pension case papers of the petitioner to the Education

Officer (Secondary) within four weeks from today.

(ii) Within further period of four weeks the Education Officer (Secondary) shall examine the same and in case he requires any further assistance, he is free to secure presence of the petitioner as well as the respondent no.2. After examination of the same, necessary decision be taken by the Education Officer (Secondary).

With these directions, the writ petition is disposed of. No costs.

(M. W. CHANDWANI, J.)

(A.S.CHANDURKAR, J.)

Andurkar..