

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.4615 OF 2023

**PRADEEP DATTATRAY GHULE
VERSUS
STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS**

...

Advocate for the Petitioner : Shri S.S. Sarda i/by Shri Bora
Satyajit S.

AGP for the Respondents/State : Shri V.M. Kagne

...

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

DATE :- 27th April, 2023

Per Court :-

1. The Petitioner has put forth prayer clauses (a) and
(b) as under:-

- “(a) *That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other Writ in the nature of Mandamus or any order or direction under Article 226 of the Constitution of India, thereby respondents, may kindly be directed to pay 100% leave encashment amount along with GPF rate of Cumulative interest as per the Government Resolution dated 20-06-1996 and as per U/S 68(5) of Maharashtra Civil Service (Leave) Rules 1981 till the actual payment to the petitioner.*
- (b) *That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other Writ in the nature of Mandamus or any order or direction*

under Article 226 of the Constitution of India thereby respondents may kindly be directed to pay the amount of leave encashment along with GPF rate of interest as per chart annexed to the petitioner and interest amount from the pockets of the responsible officer due to whom delay is caused for dereliction of duties as per Government Resolution dated 24.09.2008 and The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 and initiate disciplinary proceedings against the responsible Officer U/sec.3 of Maharashtra Civil Service (Conduct) Rules, 1979 and MCS (Discipline & appeal) Rules 1979.”

2. His representation dated 20.10.2022 is pending with Respondent No.1.
3. In view of the above, **this Writ Petition is disposed off** with the direction to Respondent No.1 to decide the representation of the Petitioner, within 45 (forty five) days from today, by following the due procedure laid down in law and by taking into account the rules and policies applicable.
4. Needless to state, a reasoned order shall be passed.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)