

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 WRIT PETITION NO.510 OF 2023

JALINDAR BANDU ADSULE
VERSUS
THE STATE OF MAHARASHTRA THROUGH CHIEF SECRETARY
AND OTHERS

Advocate for Petitioners : Mr. V.L. Dhoble
AGP for Respondents 1 to 4: Mr. S.G. Sangle

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 13th JANUARY, 2023.**

PER COURT :-

1. The petitioner has put forth prayer clauses "B", "C" and "D", as under:-

"B) That, the respondents may kindly be directed to pay the salary of petitioner till the completion of 65 years of age which is age of superannuation of the post of Principal.

C. That the communication dated 25.2.2022 issued by respondent No.4 to respondent No.3 may kindly be decided on priority basis and pay the salary of the petitioner up to the retirement age of 65 years as a Principal of the College.

D. The respondents may kindly be directed to grant the benefits to the petitioner as Principal of the college to the extent of 65 years of age as per the Government Policy dated 12.7.2016 and pay the salary and other consequential benefits of services to the petitioner."

2. We have perused the communication dated 25.2.2022, wherein the Regional Deputy Commissioner, Social Welfare, Nashik has informed the Commissioner, Social Welfare, Maharashtra State, Pune, that the retirement age of the Principal is 60 years. He, therefore, sought an advice from the Commissioner. The earlier petition filed precisely for this purpose bearing writ petition No. 5893 of 2017, is still pending before the Court. By an order dated 4.5.2017, it was directed that the petitioner would not be relieved till the next date in the matter and if it is found that he is not entitled to remain in service till 65 years, he would not be entitled to any salary benefits after 31.5.2017.

3. In view of the above, this petition is unwarranted and stands disposed off.

4. List writ petition No. 5893 of 2017, on 20.01.2023, in the urgent orders category.

5. The learned A.G.P. would take instructions in the light of the pleadings set out in the petition.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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