

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

907 WRIT PETITION NO.13689 OF 2023

USHA DAGDUBA WAGHMARE
VERSUS
STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Avhad Abhijeet Padmakar
AGP for Respondents State: Mr. S. T. Tambe
Advocate for Respondent ZP : Mr. P. D. Suryawanshi

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 9th November, 2023

ORDER:

1. The Petitioner has put forth prayer Clauses (B), (C), (D) and (D) as under:

(B) By issuing a writ of Mandamus or any other appropriate writ, order or directions in the like nature, this Hon'ble Court may kindly be pleased to direct the respondent no. 3 to 5 to grant/release service benefits of the petitioner with interest as per representations made by the petitioner and as per Government policies.

(C) By issuing a writ of Mandamus or any other appropriate writ, order or directions in the like nature, this Hon'ble Court may kindly be pleased to direct the respondent No.3 and 5 to decide the representations dated 24.06.2021 and 05.04.2023 made by the petitioner.

(D) By issuing a writ of mandamus or any other appropriate writ, order or directions in the like nature, this Hon'ble Court may kindly be pleased to direct the respondents to grant/release

the service benefits and arrears to the petitioner with interest.

2. The learned Advocate representing the Zilla Parishad fairly submits on instructions that the amounts due and payable to the Petitioner are undisputed. The learned Advocate representing the Petitioner points out that the disciplinary action initiated against the Petitioner has been quashed and set aside in the appeal proceeding. She is now exonerated and there is no blot on her career. There are four representations before the Zilla Parishad which are required to be considered.

3. In view of the undisputed position, **this Petition is disposed off** with a direction to the Zilla Parishad to calculate the interest component as is statutorily payable on the unpaid amounts to the Petitioner and pay the said whole amount in three equated monthly installments. The first installment would be paid on or before 21st November, 2023 and the second and third installments would also be paid on or before the same day of the respective following months.

4. Since the Petitioner has retired, let the service benefits be extended to her without further delay.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan