

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

CIVIL APPLICATION (W) NO.86/2023

AND

WRIT PETITION NO. 269/2023

Suresh s/o. Munaji Wanjari Vs. State of Maharashtra and Ors.

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

Mr. N. C. Phadnis, Advocate for Petitioner.

Mr. A. S. Fulzele, Addl.G.P for Respondent No.1/State.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..

DATED : 10.01.2023

1. The challenge raised in this writ petition is to the communication dated 27.12.2019 issued by the Chief Executive Officer, Zilla Parishad, Nagpur placing the services of the petitioner on a supernumerary post. Since the petitioner has superannuated on 27.06.2022 and is not receiving retiral benefits the aforesaid order has been challenged.

2. Civil Application (W) No.86/2023 has been filed seeking disposal of the writ petition in the light of the common judgment in **Writ Petition No.1485/2020 (Bharatee Balaji Rapatwar Vs. The State of Maharashtra and Another)** and connected matters decided on 16.12.2022 at the Aurangabad Bench. In the said decision notice of the fact that the General Administration Department on 14.12.2022 had issued a Resolution stipulating the manner in which the service benefits should be given to the employees placed on supernumerary posts came to be laid down was taken. In that backdrop various writ petitions challenging the

Government Resolution dated 21.12.2019 came to be withdrawn and liberty was granted to the petitioners to approach the Court in case their grievance was not satisfied pursuant to the Government Resolution dated 14.12.2022. By filing the said application, the petitioner seeks a similar relief.

3. It is submitted that the petitioner would prefer a representation before the respondent Nos.2 to 4 and seek relief of pensionary benefits in the light of Government Resolution dated 14.12.2022.

4. In view of the aforesaid, the writ petition is permitted to be withdrawn. The petitioner is at liberty to make representation to the respondent Nos.2 to 4 for release of retiral benefits in the light of Government Resolution dated 14.12.2022. If the grievance of the petitioner subsists thereafter he is at liberty to take appropriate steps in accordance with law.

5. Civil Application and Writ Petition are disposed of.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

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