



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

...

WRIT PETITION NO. 7022/2023

Smt. Rekha w/o Dinesh Giri

.. Petitioner

versus

Accountant General, Indian Audit &
Accounts Deptt. Nagpur & others

.. Respondents

.....
Mr.P.N. Shende, Advocate for petitioner

Mr.N.H.Joshi, AGP for Respondents nos. 1 to 3
.....

CORAM: DEVENDRA KUMAR UPADHYAYA, CJ.
AND A.S.CHANDURKAR, J.

DATE : 18th October 2023.

PC:

The learned AGP has put in appearance and waives service of notice on behalf of the respondent nos. 1, 2 and 3.

2. Heard the learned counsel for the petitioner and the learned AGP.

3. The challenge in this petition is to the order dated 23.08.2023 whereby the Senior Accounts officer in the office of the Accountant General has observed that for payment of pension, some clarification may be sought from the Government of Maharashtra. It has been observed in the order dated 23.08.2023 that on scrutiny of service book and pension papers of the petitioner, it is found that 100 per cent grant was sanctioned to the School concerned from 2006-07 i.e. after 01.11.2005 and hence clarification may be obtained.

4. In fact, the document dated 23.08.2023 is not an order rejecting the claim of the petitioner, rather it is a

communication made by the Senior Accounts Officer to the Education Officer (Secondary) Zilla Parishad, Nagpur and hence it cannot be said, at this stage, that the claim of the petitioner has been rejected.

5. In view of the aforesaid facts, we dispose of the writ petition, with a direction the Education Officer (Secondary) Z.P. Nagpur, to seek the clarification from the State Government, in terms of the communication received by him dated 23.08.2023 from the Office of the Accountant General. Once the clarification is given by the Government, appropriate decision shall be taken as to the claim of the petitioner by the authorities concerned, as early as possible.

6. The writ petition is, thus, disposed of in the aforesaid terms.

(A.S.CHANDURKAR, J.)

(CHIEF JUSTICE)

sahare