



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1128 OF 2024

PRANITA PRADEEP KAUSHIKE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

Mr. S. D. Joshi, Advocate for the Petitioner

Mr. S. B. Narwade, AGP for respondent No.1

Mr. V. C. Patil, Advocate h/f Mr. U. B. Bondar, Advocate for respondent
Nos. 2 to 4.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 6th MARCH, 2024

PER COURT :-

1. The learned Advocate representing respondent Nos. 2 to 4 has taken instructions. He is instructed to convey to the Court that there are no dues forth coming from the Petitioner and the application for voluntary retirement was erroneously rejected on the 90th day of the notice period i.e. 30th October, 2023.

2. This is a fit case for imposing heavy costs on the Block Education Officer, Panchayat Samiti, Gangapur, Dist. Chhatrapati Sambhajinagar for making the Petitioner, who is a lady employee, suffer rigours of tardy litigation for no reason. We direct the BEO to pay costs of Rs.25,000/- to the Petitioner. This order would become effective if our direction in paragraph 3, hereinunder, is not complied with.

3. **This Writ Petition is, therefore, allowed.** The impugned order is quashed and set aside. The application for voluntary retirement filed by the Petitioner dated 17th July, 2023 stands allowed. The statement of Respondent Nos. 2 to 4 that the "No dues" certificate and "No Departmental Enquiry" certificate have already been issued after the filing of this Writ Petition, is recorded. Consequentially, we direct that the voluntary retirement application of the Petitioner shall be effective from the date after the completion of the notice period i.e. 31st October, 2023 and she shall be entitled for all monetary benefits with interest at the rate of 6% per annum. These arrears of amounts shall be paid to the Petitioner within 30 days from today. If not paid, the order of cost of Rs.25,000/- would become enforceable and the said amount would then be recovered from the salary account of BEO, Zilla Parishad, Chhatrapati Sambhajinagar and will be credited to the account of the Petitioner.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

ssp