



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10520 OF 2019

Ram Hanumantrao Kutkar

VERSUS

The State Of Maharashtra And Others

...

Mr. V. S. Valse, Advocate for the Petitioner

Mr. R. S. Wani, AGP for Respondent Nos. 1

Mr. D. V. Tele, Advocate for Respondent No. 2

Mr. H. V. Patil, Advocate for Respondent No. 4

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CORAM : RAVINDRA V. GHUGE &
R. M. JOSHI, JJ

DATE : MAY 02, 2024

PER COURT :

1. Appearance of Shri. Venjane, the learned Advocate, is discharged in view of the NOC given by him to Shri. Valse, the learned Advocate, who has appeared in this matter.

2. The Petitioner is getting his regular pension. The only issue involved is that the Petitioner desires a recalculation of his pensionary benefits by adding two increments, which he claims by way of a right. He has superannuated from the Government service on 30.04.2017. All his retiral benefits have been paid to him. Recently, an order has been passed by the State on 29.04.2024, rejecting the claim of the Petitioner for

the said two increments. The Petitioner needs to challenge this order passed by the State. Proceedings would, therefore, lie before the learned Maharashtra Administrative Tribunal.

3. The learned Advocate for the Petitioner seeks liberty to raise his grievance against the illegal deduction as well as challenge the present order dated 29.04.2024, before the learned Maharashtra Administrative Tribunal by preferring an Original Application in the light of the fresh cause of action.

4. In view of the above, **this Writ Petition is disposed off.** If the Petitioner prefers an Original Application before the learned Tribunal, all contentions of all the litigating parties are kept open.

(R. M. JOSHI, J)
Malani

(RAVINDRA V. GHUGE, J)