

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 16021 OF 2024

Smt Sulabha Ashok Saste Wd/o Ashok L Saste ...Petitioner

Versus

The State Of Maharashtra Through
School Education And Sports And Ors ...Respondents

Mr. Satyajeet A. Rajeshirke for Petitioner.

Mr. A. K. Naik AGP for Respondent Nos.1 to 5-State.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 16th DECEMBER, 2024

P.C. :-

1 On 10th December 2024, we have passed the following
order :

“1. Despite the judgment of this Court dated 27th June, 2019, delivered in WP No. 1669 of 2014 in which the present Petitioner’s husband was Petitioner No. 1 and this Court concluded that he was entitled to the pensionary benefits, the pension has till not been paid. The Petitioner’s husband unfortunately passed away on 14th August, 2021 after superannuating on 28th February, 2021. Now, it is 3 years and 10 months that the pension has not been released and the widow is before this Court.

2. Since the prayers put forth are not prejudicial to the interest of Respondent Nos. 6 and 7, we are not issuing notice.

3. The learned AGP appears on behalf of Respondent Nos.1 to 5.

4. We are listing this matter on 16th December, 2024 in the 'passing orders' category to enable Respondent Nos. 1 to 5 to ensure that the pension proposal is cleared until the next date."

2 In view of our above order, we had directed the authorities to ensure that the pension proposal is cleared till today. The Learned AGP places on record a compilation (7 pages) which is a form for 'LIFE TIME ARREARS PAYMENT ORDER". The same is marked as 'X' for identification. He further submits that the remarks on the said form would indicate that the case is finalised as per the Court's order taking into account 50% of the part time service as pensionable service.

3 The Learned Advocate appearing for the Petitioner widow submits that she is satisfied with the 50% pension / death gratuity amount. The Learned AGP submits that the Petitioner will have to approach the GPO Treasury, Satara and sign certain papers after which the total gratuity amount would be released and the payment of pension would commence.

4 In view of the above, the Petitioner would proceed to

sign the necessary papers in the GPO Treasury, Satara. We direct that the death gratuity amount would be paid within 30 days from today. The arrears of pension would be calculated by the Competent Authority and the amount would be released within 60 days from today. The gratuity amount will carry 12% interest p.a. Needless to state, the payment of pension as per the Petitioner's entitlement, would also commence within 30 days.

5. In view of the above, **this Writ Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)