

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

WRIT PETITION NO. 767 OF 2024

Sanjay Gulab Gosavi

...Petitioner

Versus

The Joint Director of Higher Education ...Respondents
Pune Region Pune and Ors.

Mr. Amol Gatne for the Petitioner.

Ms. Nisha Mehra, AGP for Respondent No.1 & 3.

Mr. Manish Kelkar for Respondent No.2.

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**CORAM : NITIN JAMDAR AND
M.M.SATHAYE, JJ.**

DATE : 23 JANUARY 2024

P.C. :

. Heard the learned counsel for the parties.

2. The Petitioner, who has retired as the Registrar while working with Respondent No.2/College, on 31 May 2023 has filed this petition seeking direction to Respondent No.1/The Joint Director of Higher Education, Pune Region, Pune to process Petitioner's proposal for the pension further and other retiral benefits, which is pending.

3. It is submitted that the Petitioner was initially appointed as

laboratory attendant in August 1990, then as a clerk in April 1996, who was thereafter selected as office superintendent in 2003. It is submitted that in March 2010, the Petitioner was promoted as a Registrar and was posted as such in another college run by the Management i.e. BMCC College, Pune. It is submitted that in the month of December 2020, the Petitioner was transferred to Respondent No.2 college, where he continued to work as a Registrar till his retirement. It is specifically contended that the Petitioner's pension case is already approved on 30 January 2023 by the office of the Principal Accountant General (A & E)-1, Government of Maharashtra, after which the Petitioner as well as Respondent No.2/ College have requested Respondent No.1 to process the proposal further, however, it is pending with Respondent No.1.

4. The learned counsel for the Respondent No.2/College submits that he is supporting the cause of the Petitioner. He relied upon the letter dated 4 May 2023 issued by Respondent No.2 College requesting the Respondent No.1 to process the Petitioner's proposal further.

5. Considering the limited prayers made by the Petitioner and further considering the fact that the Petitioner is already retired whose pension and retiral benefits are pending, we dispose of this petition passing following order :

(A) Respondent No.1 will communicate to Petitioner and

Respondent No. 2 College, the grounds of objections if any (to Petitioner's pending proposal) within a period of 3 weeks from today.

(B) The Petitioner / Respondent No. 2 Collage shall thereafter submit its explanation & supporting material (which may include case law, approval orders etc, if not already submitted) to Respondent No. 1.

(C) Thereafter, Respondent No. 1 is directed to process the Petitioner's pending proposal within a period of 4 weeks and in case Respondent No.1 is holding against the Petitioner, he is directed to do so only by passing a reasoned order dealing with material and caselaw relied upon.

(D) Needless to mention that if the Petitioner's pending proposal of pension and other retiral benefits is processed favaourably, consequential orders for release of pension and other retiral benefits shall be passed and in that case, the aforesaid directions will not apply.

6. Writ Petition is disposed of in the above terms.

(M.M.SATHAYE, J.)

(NITIN JAMDAR, J.)