



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.221/2024
(Ganesh V State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N.S. Warulkar, Advocate for petitioner.
Mr. Thakre, Addl.GP for resp. nos. 1 to 3.
Mr. D.A. Sonawane, Advocate for resp. nos. 4 and 5.

CORAM : Nitin W. Sambre & Abhay J. Mantri, JJ
DATE : 04-03-2024.

Heard.

2. The challenge in this petition is to the charge sheet dated 22-12-2023 received on 26-12-2023, thereby the petitioner, Headmaster was decided to be proceeded departmentally.
3. Further challenge in the petition is to the communication dated 20-12-2023 issued by the Deputy Director of Education extending the enquiry period and also consequential benefits of permitting the petitioner to join the services.
4. The fact remains that after the petitioner was served chargesheet, the petitioner on 23-01-2024 has submitted a request for grant of voluntary retirement (VRS) which has been duly accepted by the respondent Management.
5. Once the proposal is accepted by the respondent Management for grant of VRS and also prayer for earned leave was recommended, it was expected of the Management to extend all the

benefits to the petitioner for release of his salary till the date he is relieved on VRS after accepting his request for grant of VRS.

6. That being so, we dispose of the petition with directions to the respondent to release all the consequential benefits to the petitioner for release of his salary and other emoluments to which he is entitled till the date he is relieved from the service after accepting his prayer for grant of VRS.

7. Needless to clarify that the respondent Management shall forthwith process the request of the petitioner for release of his terminal benefits and in any case to submit such proposal within a period of six weeks from today.

8. In view of unconditional acceptance of the prayer for grant of VRS by respondent Management, the period of suspension be treated as service period and it is held that the petitioner is entitled for the requisite benefits in accordance with law.

(Abhay J. Mantri, J.)

(Nitin W. Sambre, J.)