



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2745 OF 2025

PRAKASH TUKARAM GULZERWAD

VERSUS

1. THE STATE OF MAHARASHTRA THROUGH SECRETARY,
DEPARTMENT OF SOCIAL JUSTICE, MANTRALAYA, MUMBAI
2. THE MANAGING DIRECTOR, MAHATMA PHULE BACKWARD
CLASS DEVELOPMENT CORPORATION LTD, SHOP NO. 25/2, JUHU
SUPREME SHOPPING CENTER, NO. 9, JVPD SCHEME, GULMOHAR
CROSS ROAD, JUHU, MUMBAI – 49
3. THE REGIONAL MANAGER, MAHATMA PHULE BACKWARD
CLASS DEVELOPMENT CORPORATION LTD, PLOT NO. 4, NS-4,
CIDCO N-4, PUNDLIK NAGAR, CHH. SAMBHAJINAGAR,
DIST. CHH. SAMBHAJINAGAR
4. THE DISTRICT MANAGER, MAHATMA PHULE BACKWARD CLASS
DEVELOPMENT CORPORATION LTD, NEAR RAMKRUSHN LODGE,
NAIR NAGAR, DIST. HINGOLI.

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Advocate for the Petitioner : Mr. Sunil Mahadevappa Vibhute
AGP for Respondent No. 1 : Mr. S. R. Yadav – Lonikar
Advocate for Respondent Nos. 2 to 4 : Mr. D. K. Thote

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 25.02.2025

PER COURT :

. We have heard the learned advocate for the petitioner
and Mr. Thote, who appears *suo motu* for respondent Nos. 2 to 4.

2. The learned advocate for the petitioner submits that the petitioner's proposal for validation of the tribe certificate has been pending with respondent – committee; however, the petitioner stands superannuated on 30.09.2023. He submits that the petitioner has been granted pension but not the gratuity and the leave encashment benefits. He submits that according to the policy of the Government, the petitioner would appear before the committee and file an affidavit to the fact that he will not press for adjudication of the proposal, and the respondents may independently consider his claim for gratuity and leave encashment benefits, as has been consistently held by various division benches in similar facts.

3. The learned advocate for respondent No. 2 submits that the corporation would extend the benefits of gratuity and leave encashment to the petitioner.

4. We dispose of the writ petition by permitting the petitioner to appear before respondent – scrutiny committee, file an affidavit as indicated hereinabove, and furnish its copy to respondent Nos. 2 to 4. Upon receipt, the respondents shall release the gratuity and leave encashment benefits to the petitioner, as expeditiously as possible, and in any case, within eight (08) weeks thereafter.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

jhs/