



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**953 WRIT PETITION NO. 4503 OF 2017**

**SHASHIKANT SADASHIV PATIL**

**VERSUS**

**THE STATE OF MAHARASHTRA AND OTHERS**

...  
Advocate for the Petitioner : Mr. Malte Uday S.  
AGP for Respondent/State : Ms. N.B. Kamble  
Advocate for Respondent no.5 : Mr. Raje Vikrant P.

...  
**CORAM : NITIN B. SURYAWANSHI AND**

**VAISHALI PATIL-JADHAV, JJ.**

**DATED : 3<sup>rd</sup> DECEMBER, 2025.**

**ORDER :**

. By this petition under Article 226 of the Constitution of India, petitioner seeks direction to the respondents to grant pension and other retiral benefits to the petitioner forthwith with interest.

2. Admittedly, R.C.C. No.93/2012 for offences punishable under Sections 201, 406, 408, 409, 420, 467, 468, 471, 477C, 120B r/w 34 of the IPC is pending against the petitioner.

3. Rule 130 of the Maharashtra Civil Services (Pension) Rules, 1982 provides for payment of provisional pension where departmental or judicial proceedings may be pending. Sub-rule (c) provides that no gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon.

4. Respondent Nos.1 to 3 by filing affidavit-in-reply have contended that by order dated 11.08.2017 of A.G. Mumbai, petitioner is granted provisional pension with effect from 01.04.2016 till the finalization of judicial enquiry, which is pending against the petitioner and respondents are disbursing the monthly provisional pension to the

petitioner.

5. The action of the respondents is in consonance with Rule 130 of the Pension Rules. In this view of the matter, the respondents shall continue to pay regular provisional pension to the petitioner till the conclusion of the enquiry. In case the petitioner is acquitted in the criminal case, petitioner shall be paid all consequential pecuniary benefits. With this direction, writ petition is disposed of.

(VAISHALI PATIL-JADHAV,J.)

( NITIN B. SURYAWANSHI,J.)

*sga*