



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 WRIT PETITION NO. 11514 OF 2025

SYED PARVEZ MUMTAZAHMED
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Avinash D. Aghav Advocate for Petitioner.
Mr. S.B. Pulkundwar, A.G.P. for Resp. Nos. 1 and 5.
...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 24th NOVEMBER, 2025

ORDER :

1. The learned Advocate for the petitioner submits that the petitioner is awaiting pensionary benefits and stands superannuated but for want of certificate of validity, those are not being released.
2. The learned Advocate for the petitioner submits that the petitioner would be satisfied if the respondent/scrutiny committee is directed to decide his proposal of the year 2013, as expeditiously as possible.

3. The learned AGP, on instructions, submits that the respondent/scrutiny committee would decide the petitioner's proposal within a period of eight weeks.

4. The Writ Petition is disposed of directing the respondent/scrutiny committee to decide the petitioner's proposal as expeditiously as possible and in any case within a period of eight weeks.

5. As far as the pensionary benefits are concerned, it is the consistent view of this Court that the pensionary benefits are earned by an employee. In fact, gratuity and provident fund belong to an employee and cannot be withheld in any circumstances as per the law laid down by this Court in the matter of *Kamlabai Shaphadu Salve vs. State of Maharashtra and others* (Writ Petition No.4624 of 2021), dated 01/10/2021.

6. We, therefore, simultaneously direct respondent No.2 – the Chief Executive Officer, Zilla Parishad, Jalna and respondent No.3 – District Health Officer, Zilla Parishad, Jalna to undertake the exercise to finalize the pension papers of the petitioner, so that

all the pensionary benefits including provident fund, gratuity and pension are disbursed to the petitioner, as expeditiously as possible and in any case within a period of eight weeks, without awaiting for the certificate of validity and irrespective of the decision of the scrutiny committee.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/NOV25