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

WRIT PETITION NO. 8499 OF 2025

Ushakiran Ramsingh Rajput ... Petitioner
Versus
The State of Maharashtra and ors. Respondents

Mr. Akshay Deshmukh a/w Ms.Sweta Dave i/b Mr. Sanket Kadam,
for the Petitioner.
Ms. G.R. Raghuwanshi, AGP for the Respondent-State.

**CORAM : M.S.KARNIK AND
N.R.BORKAR, JJ.**

DATE : 02nd JULY 2025

P.C. :

1. Heard learned counsel for the petitioner.
2. Learned counsel for the petitioner fairly invited our attention to the order dated 23/07/2021 in Original Application No. 713 of 2020.
3. Learned counsel however made an attempt to distinguish the order by contending that the petitioner is seeking only her pensionary benefits. Our attention is invited to the communication dated 30/05/2020 which is at page 36 of the paper-book clearly

indicating that she stands superannuated with effect from 31/05/2020.

4. Learned counsel submitted that relying on the letter dated 30/05/2020, the respondents are contending that petitioner's services are terminated. It is submitted that the petitioner has completed the entire tenure of service and therefore she is entitled to the pensionary benefits. It is further submitted that rejection of her caste claim could not have been the basis for terminating her services, as the caste claim was invalidated as far back as on 28/07/2015 and thereafter also she was continued in services till the date of her superannuation.

5. Prima facie, we do find substance in the contention of learned counsel for the petitioner. However, in the light of the order dated 23/07/2021 passed by the Tribunal in Original Application No. 713 of 2020 and even otherwise, for the relief prayed for in the petition as the remedy of the petitioner is to approach the Maharashtra Administrative Tribunal under the Administrative Tribunals Act, 1985, we dispose of this petition by permitting the petitioner to file appropriate proceedings before the Maharashtra

Administrative Tribunal.

6. All contentions are kept open.
7. The writ petition is disposed of.

(N.R.BORKAR, J.)

(M.S.KARNIK, J.)