



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

WRIT PETITION NO.6098/2024

Anis Khan Yunus Khan

Vs.

The Presiding Officer, School Tribunal, Amravati Division, Amravati and others

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

Court's or Judge's orders

Shri P.R. Patel, Advocate for petitioner
Ms Deepa Charlewar, AGP for respondent Nos.1 and 4
Ms N.V. Walkade, Advocate for respondent Nos.2 and 3

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 13.03.2025

The petitioner and respondent through its Secretary present in-person and confirmed the terms mentioned in paragraph No.3 of the Compromise Pursis.

2. During the pendency of this petition, the contesting parties have arrived at an amicable settlement and a compromise pursis dated 12.02.2025 has been placed on record. It is signed by the petitioner as well as respondent Nos.2 and 3 and their respective counsel.

3. In view of the above, the present writ petition is disposed of in terms of the clauses of settlement contained in paragraph No.3 of the compromise pursis, which read as follows:

“i) The petitioner most humbly prays that the impugned order of termination dated 08.04.2000 kindly be modify as an order

of voluntary retirement having effect of retirement from the date on which the order will pass by this Hon'ble Court. The petitioner Shri Anis Khan Yunus Khan be kindly treat to have been retired with effect from the date on which the order will pass by this Hon'ble Court.

ii) The parties prays that the period of litigation i.e. from the date 10.04.2000 of termination of petitioner to the date of passing the order by this Hon'ble Court on this pursis may kindly be consider for calculating the pension and pensionary benefits of petitioner and in turn, the petitioner gives the undertaking that he will not claim any back wages or salary or subsistence allowance or any other benefits for the litigation period from the respondents in future.

iii) The parties further make it clear that the petitioner will be entitled to receive pension and pensionary benefits in terms of existing rules governing the sanction of pension by the Accountant General of Maharashtra, Nagpur. The parties pray that the Respondent No.2 Management and Respondent no.3 Head Master may kindly be directed to prepare the pension case of petitioner with calculation of deemed yearly increments and with all pensionary benefits, and also directed to submit the pension case to the respondent no.4, the Education Officer (Secondary) Z.P. Akola and also kindly be directed to respondent no.4 to submit the pension case to the Accountant General Nagpur by giving specific time limit to each of them.

iv) The Respondent Management and Headmaster have no objection if the impugned order of termination is ordered to be modified as an order of retirement. The respondents nos.2 & 3 also have no objection that the petitioner is directed to be deemed to have been retired from the date on which the order will pass by this Hon'ble Court.

v) That, if the impugned order of termination dated 08.04.2000 is modified as an order of voluntary retirement, the respondent Management and Headmaster will submit the pension case of petitioner to the respondent no.4 Education Officer (Secondary) Z.P. Akola as early as possible after that the petitioner will submits the required documents and joint photographs etc.”

4. Accordingly, the impugned order of the Tribunal stands modified in terms of the aforesaid clauses of settlement and the Writ Petition stands disposed of.

JUDGE

R.S. Sahare