



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 6746 of 2024

(Rajesh Sharadrao Kalaskar Vs. State of Maharashtra and ors)

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

Court's or Judge's orders

Mr. Syed Salman, Adv. h/f Mr. F. Kashif, Advocate for petitioner.
Mr. A.M. Madiwale, AGP for respondent Nos. 1 to 3/State.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 17-02-2025

By this petition, the petitioner seeks direction against the respondents to initiate the process for releasing the posthumous benefits in his favour.

2. The learned Counsel for the petitioner drew our attention to paragraphs Nos. 5 to 7 of the affidavit filed by respondent No. 3, wherein they have admitted that they are ready to pay the posthumous benefits/dues mentioned in those paragraphs. He has further submitted that the respondents are ready to submit the bills regarding Group Insurance, Saving Funds, GPF, and gratuity immediately to the Treasury Office to deposit in the petitioner's account.

3. We would like to reproduce paragraphs 5 to 7 of the reply as follows, which read thus:-

“5. I say that, on the basis of the Succession Certificate issued by the Competent court in favour of the petitioner, the office of the Respondent No. 3 shall process the bills in respect of the after-death benefits accrued, which are as under:

A. Group Insurance : Rs. 1,20,000/-
 B. Savings Funds : Rs. 28,206/-
 C. Gratuity : Rs. 5,16,500/-
 D. GPF : Rs. 77,934/-

6. *I say that, the office of the Answering Respondent shall submit the bills in respect of A) Group Insurance, B) Saving Funds and D) GPF immediately to the Treasury Office, Digras, Yavatmal for its verification and the Treasury Office, Digras shall verify the same and the respective amounts shall be deposited by the said Treasury Office in the account of the petitioner after its verification.*

7. *I say that, the amount towards Gratuity can be paid only after the verification of the Service Book and other details of the deceased after its verification by the office of the Accountant General, Nagpur. I say that, the office of the Respondent No. 3 shall submit the Service Book of the deceased to the office of the Accountant General, Nagpur for its verification within 15 days from today. Thus, after the verification of the Service Book etc. by the office of the Accountant General, Nagpur the amount towards Gratuity can be paid to the petitioner and as such the same is not within the domain of the Answering Respondent No.3.”*

4. As against, the learned AGP submits that respondents shall submit the bills for claims A-Group Insurance, B-Saving funds and D-GPF to the Treasury Office and release the payment in the petitioner's account within two weeks. He further submits that the D-Gratuity claim will be released within four weeks from today. The statement of respondent No. 3 in the affidavit and the statement of the learned AGP is accepted.

5. Having considered the same, we deem it appropriate to dispose of the petition with a direction to respondents to release claims “A-Group Insurance, B-Saving Funds and D-

GPF” within two weeks and claim “C-Gratuity” within four weeks from today.

The Writ Petition is allowed in the above terms.
No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

Belkhede