



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

WRIT PETITION NO. 1392 OF 2025

Bhagwanrao Shelke ..vs.. State of Maharashtra, through its Secretary, Department of Law and
Judiciary, Mumbai and another)

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

Court's or Judge's orders

Ms. Payal Kaware, Counsel for the petitioner.

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

DATE : 21-03-2025

Heard Ms. Payal Kaware, learned Counsel for the petitioner.

2. The petitioner is challenging the communications dated 13-12-2024 and 03.03.2025 issued by respondent No.2, thereby accepting the voluntary retirement application of the petitioner with effect from 13-03-2025 and rejecting his application for withdrawal of voluntary retirement application.

3. On 13-12-2024, the petitioner moved an application for voluntary retirement, which was accepted on the same date by giving effect to the said acceptance from 13-03-2025. Prior to said date, the petitioner moved an application dated 03-01-2025 to permit him to withdraw the application for voluntary retirement, which was rejected by communication dated 03.03.2025. As such, it is contended that as per rule 66(5) of the Maharashtra Civil Services (Pension) Rules, 1982, the petitioner could withdraw notice/application before the intended date of his retirement i.e. 13.03.2025.

Therefore, the rejection of said withdrawal application is not justifiable.

3. Issue notice to the respondents, returnable in two weeks.

4. Mr. Abhay Sambre, learned Counsel, waives service of notice for respondent No.1.

5. Ms. T. Khan, learned Assistant Government Pleader waives service of notice for respondent No.2.

6. The respondents shall file their reply by the returnable date.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

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