



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

953 WRIT PETITION NO. 5616 OF 2025

Purushottam Marotrao Petkar
Age : 59 years, Occ : Retired,
R/o Executive Engineer,
MIDC Division Audhan, Dhule,
Tq. and Dist. Dhule.

..PETITIONER

-VERSUS-

1. The Chief Executive Officer,
MIDC, "Udyog Sarthi",
Marol Industrial Area,
Mahakali Gumfa Road,
Andheri (East), Mumbai - 400 093.
2. The Joint Chief Executive Officer (Adm.),
MIDC, "Udyog Sarthi", Marol
Industrial Area, Mahakali Gumfa Road,
Andheri (East), Mumbai 400 093.
3. The Chief Accountant,
MIDC, "Udyog Sarthi", Marol
Industrial Area, Mahakali Gumfa Road,
Andheri (East), Mumbai 400 093.
4. The Executive Engineer,
MIDC, Dhule.
5. The Executive Engineer,
MDIC, Division No.1, Nagpur,
Dist. Nagpur.
6. The Administrative Officer,
MIDC, "Udyog Sarthi", Marol
Industrial Area, Mahakali Gumfa Road,
Andheri (East), Mumbai 400 093.

..RESPONDENTS

...
Advocate for the Petitioner : Mr. Patil V.P.
AGP for Respondent/State : Mrs. V.S. Chaudhari
Advocate for Respondent nos.1 to 6 : Mr. S.S.Deve

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**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL-JADHAV, JJ.**

DATED : 22nd APRIL, 2026.

ORAL JUDGMENT (PER NITIN B. SURYAWANSHI, J.)

. Rule. Rule made returnable forthwith and heard finally with the consent of the learned counsel for the parties.

2. This petition seeks directions to the respondents to release all the retiral benefits of the petitioner within two weeks along with interest by quashing and setting aside the office order dated 30.04.2024.

3. It is the case of the petitioner that he was working on the post of Assistant Area Manager, M.I.D.C. Amrawati. By order dated 14.03.2019, the petitioner was suspended in contemplation of the departmental enquiry. On 10.05.2021, charge-sheet was issued to the petitioner. On 19.12.2023, the suspension of the petitioner was revoked. By the impugned order dated 30.04.2024, the petitioner's retiral benefits withheld on the ground that the decision in the departmental enquiry against the petitioner is pending. Only provident fund of the petitioner was released. The said order further states that the separate orders will be passed in respect of withheld retiral benefits. If any dues of the Corporation are liable to be recovered from the petitioner, the same shall be recovered from the retiral benefits of the petitioner.

4. It is pertinent to note here that by communication dated 19.05.2024 addressed by the Regional Officer to the Administrative Officer of the respondent, it is categorically informed that on going through the record, it is revealed that the petitioner has not caused any financial loss to the Corporation.

5. In view of the said communication, we are of the considered view that the petitioner appears to be exonerated from the departmental enquiry, and therefore, the respondents are not justified in withholding the retiral benefits of the petitioner.

6. In the result, the Writ Petition is allowed. The impugned communication is quashed and set aside. The respondents are directed to release the retiral benefits to the petitioner, including interest if any payable, in accordance with rules, within eight weeks from the date of receipt of this order. All the consequential pensionary benefits be paid to the petitioner.

7. Rule is made absolute in the above terms.

(VAISHALI PATIL-JADHAV,J.)

(NITIN B. SURYAWANSHI,J.)