



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 7170/2025

1. Ku. Sunita d/o Sahebrao Deotale,
Aged about 58 years,
Occupation – Retired,
R/o. Shivaji Nagar, Chandur Bazar,
Tah. Chandur Bazar, District -
Amravati.

... **PETITIONER**

...VERSUS...

1. State of Maharashtra,
Through its Secretary,
Department of Sports and School
Education, Mantralaya,
Mumbai – 400 032.
2. The Education Officer
(Secondary), Zilla Parishad,
Amravati, Tah. And District -
Amravati.
3. Dr. Abasaheb Khedkar Navjeevan
Shikshan Sanstha, Khed, Through
its Manager; at Post – Khed, Tah.
Morshi, District – Amravati.
4. Dr. Abasaheb Khedkar Vidyalaya,
Through its Head Master at Post -
Khed, Tah. and District -
Amravati.

...**RESPONDENTS**

Mr. P. A. Kadu, Advocate for petitioner
Ms. H. N. Jaipurkar, AGP for respondent /State
Mr. A. U. Deshmukh, Advocate for respondent no. 3
Mr. Y. P. Kaslikar, Advocate for respondent no. 4

**CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

JUDGMENT DATED : 20th FEBRUARY, 2026.

ORAL JUDGMENT (PER : NANDESH S. DESHPANDE, J.)

1. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.
2. The present petition is filed with a prayer directing the respondent nos. 2 and 4 to disburse all the pensionary benefits of the petitioner within two weeks. It further prays for a direction to pay interest on the delayed disbursement of pensionary benefits.
3. The facts which are more or less undisputed are that on 05.08.1986 the petitioner was appointed as an Assistant Teacher in the respondent no. 4 school and the said appointment was granted approval. On 21.05.2025, the petitioner requested the respondent

no. 4 to submit her pension proposal without any delay the same request was reiterated on 05.08.2025, 12.08.2025 and 30.08.2025. It is further submitted that after inordinate delay the respondent no. 4 submitted the proposal of the petitioner for disbursement of pensionary benefits. On the next i.e. on 31.08.2025, the petitioner retired from the post of Assistant Teacher.

4. During the course of hearing of the present petition, since the respondent no. 4 was not putting any appearance, we were constrained to issue aailable warrant vide order dated 23.01.2026. Thereafter, vide order dated 06.02.2026, after recording the contentions of the learned counsels for the respective parties and more particularly the statement of the respondent no. 4 that if the petitioner turns up in the office of the respondent no. 4 on 09.02.2026 and if there are no deficiencies, the proposal would be forwarded forthwith to the respondent no. 2. On the backdrop of these facts, Mr. Y. P. Kaslikar, files across the bar a copy of reply which states that the proposal had in fact forwarded on the same day i.e. on 09.02.2026. The learned counsel for the petitioner also doesn't dispute this position. However, he asserts looking at the past conduct of the respondent no. 4 and looking at the fact that this

Court was constrained to issue aailable warrant to secure his presence, the Head Master would again play some mischief and raise some discrepancies or such discrepancies can also be pointed out by the Education Officer. He therefore prays that the matter be kept pending so that the proposal forwarded by the respondent no. 4 be processed. However, we are not inclined to accept such request in view of the fact that the proposal is already forwarded to the office of the respondent no. 2 and it is for the said respondent now to proceed in accordance with law.

5. We therefore dispose of the petition with a direction to the respondent no. 2 – Education Officer to process the said proposal filed by the respondent no. 4 on 09.02.2026 as expeditiously as possible and in any case within a period of four weeks from the date of receipt of this order.

6. The petitioner to apprise the office of the respondent no. 2 about passing of this order by appearing before it on 26.02.2026. Needless to mention that the contentions of the petitioner regarding delayed payment on omission of the respondent no. 4 to send the proposal and the payment of interest are kept open.

7. The Writ Petition is disposed of in above terms.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Shubham