



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

WRIT PETITION NO. 1106 OF 2026

UMESH KUMAR S/O BRIJLAL CHAROTE

Vs.

UNION OF INDIA, THR. GENERAL MANAGER, BILASPUR,
CHATTISGARH AND OTHERS

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

Court's or Judge's orders.

Mr. Akhilesh Potnis, Advocate for the Petitioner.

Mr. S. A. Choudhari, Advocate for Respondent No.1.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 9th FEBRUARY, 2026.

1. Heard learned counsel for the petitioner.
2. The petitioner seeks challenge to the orders dated 24th November 2023 so also 15th September 2025 issued by the respondent Nos.2 and 3.
3. The aforesaid communication rejected the prayer of the petitioner for grant of death cum retirement gratuity (DCRG) so also the grant of full pension to the petitioner.
4. Learned counsel for the petitioner submits that the petitioner is already receiving the provisional pension. However, his claim for grant of gratuity so also full pension has been rejected by the respondents solely on the ground that the criminal trial is pending against the petitioner under Section 7

of the Prevention of Corruption Act, 1988 bearing Case No.2820 of 2017.

5. Mr. Potnis, learned counsel for the petitioner submits that the aforesaid reason is unsustainable in the eyes of law in view of the judgment of Hon'ble Apex Court in the case of State of *State of Jharkhand and ors. Vs. Jitendra Kumar Srivastava and Anr.* in *Civil Appeal No. 6770 of 2013*.

6. In view of the above, we dispose of the present writ petition with a direction to respondent Nos.2 and 3 to reconsider the decision taken by them regarding grant of gratuity and full pension, more particularly, in view of the law settled by the Hon'ble Apex Court *State of Jharkhand (supra)*. Respondent Nos.2 and 3 shall take an appropriate decision within a period of eight weeks from the date of receipt of this order.

7. The decision taken, be communicated to the petitioner within two weeks thereafter.

8. With these directions, the Writ Petition is disposed of. No order as to costs.

(RAJ. D. WAKODE, J.)

(ANIL S. KILOR, J.)