



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

WRIT PETITION NO. 3245 OF 2026

Kailas s/o Deorao Parate and Ors.
Vs.
Regional Director of Municipal Administration,
Amravati 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. Ashish D. Girdekar, Advocate for the Petitioner.
Mrs. S. S. Jachak, Addl. GP for the Respondent Nos.1 and 2/State.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATE : 21st APRIL, 2026.

1. Heard learned counsel for the petitioner.
2. The contention is that the petitioners are legal heirs of Sau. Jyoti Kailas Parate, who was serving as Head Mistress in the school run by respondent No.3-Municipal Council, Yavatmal. Sau. Jyoti Parate had retired from her services on 30.06.2023 and was entitled for the various pensionary benefits; however, she expired on 3rd July 2023.
3. Shri Girdekar, learned counsel for the petitioners submits that so far as the other pensionary benefits are concerned, the petitioners have received the same so also the monthly pension is also being received by the petitioners. However, on 11.10.2023 the petitioners submitted an application for commutation of pension as per the Rule 7 of the Pension Rules, 1984. The said request is still pending with the respondents.

4. Shri Girdekar, learned counsel for the petitioners has invited our attention to the communication dated 25th July 2024 (at record page No.56 Annexure-J) and communication dated 9th August 2024 (at record page No.58), whereby respondent No.3- Chief Officer, Municipal Council, Yavatmal sought guidance from respondent No.2- Deputy Director of Education, Amravati Division, Amravati regarding grant of such benefits to the petitioners.

5. Learned counsel for the petitioners submits that even after passage of almost two years, respondent No.2 has not communicated any decision to respondent No.3 and thus, claim of the petitioners is not yet decided.

6. Mrs. S. S. Jachak, learned Addl. GP, who appears for respondent Nos.1 and 2 submits that necessary decision will be taken by respondent No.2 on the communications dated 25th July 2024 and 9th August 2024 within a period of four weeks from the date of production of order of this Court.

7. Respondent No.3 shall act upon the communication issued by respondent No.2 in pursuance of the aforesaid order and communicate the same to the petitioners within a period of two weeks thereafter.

8. Accordingly, Writ Petition is disposed of.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)