
(2022) 01 BOM CK 0035
In the Bombay High Court
Case No : Writ Petition No. 7853 Of 2019

Laxman Sardarsingh Rajput	Vs	APPELLANT
Deputy Director, (Education) And Others		RESPONDENT

Date of Decision : 18-01-2022

Acts Referred:

Citation : (2022) 01 BOM CK 0035

Hon'ble Judges : A. S. Chandurkar, J; Pushpa V. Ganediwala, J

Bench : Division Bench

Advocate : S.S. Shinde, A.A. Madiwale, C.M. Samarth

Final Decision : Disposed Of

Judgement

A.S. Chandurkar, J

1. RULE. Rule made returnable forthwith and heard the learned counsel for the parties.

2. The grievance of the petitioner is the non-release of pensionary benefits pursuant to service rendered at the respondent no.4-College and his consequent superannuation thereafter.

3. It is the case of the petitioner that he was working as a teacher at the Junior College and he retired from service on attaining the age of

superannuation on 31.08.2008. After his pension case was submitted by the College he started receiving pension. By Government Resolutions dated

26.02.2014 and 27.12.2018 there was a revision effected in the pay-scales and hence according to the petitioner he was also entitled to get such

benefit through revision in his pension amount. It is his grievance that despite various steps taken such benefits were not granted to him. The stand

taken by the respondent no.4 was that the service book of the petitioner was not

traceable. Ultimately having made various representations the petitioner has approached this Court seeking a direction that the College be directed to prepare the petitioner's pension case to enable him to get benefit under Government Resolutions dated 26.02.2014 and 27.12.2018.

4. On 05.01.2022 after hearing the learned counsel this Court had directed the respondent no.4 to re-construct the service record of the petitioner to facilitate preparation of the service book. Accordingly, it is informed today that the petitioner's service book has now been prepared and further steps could be taken to examine the entitlement of the petitioner for grant of benefits sought by him.

5. Accordingly, the following directions are issued in the interest of justice:

The respondent no.4 shall forward the pension papers of the petitioner alongwith all necessary documents to the respondent nos.2 and 3 within a

period of three weeks from today. The respondent nos.2 and 3 shall take a decision on the said pension case in the light of Government Resolutions

dated 26.02.2014 and 27.12.2018 within a period of four weeks from receipt of the pension papers. The decision taken be accordingly communicated

to the petitioner thereafter. All other aspects raised in the petition regarding grant of interest are kept open for consideration at the appropriate stage.

6. With these directions, the writ petition is disposed of. Rule accordingly. No costs.