

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4925 OF 2017

[@ SPECIAL LEAVE PETITION (C) NO. 10567 OF 2017]

[@ SPECIAL LEAVE PETITION (C).....CC. NO. 6025/2017]

SURENDRA WAMANRAO DESHMUKH

APPELLANT (S)

VERSUS

STATE OF MAHARASHTRA AND ANR

RESPONDENT (S)

J U D G M E N T

KURIAN, J.

Delay condoned.

2. Leave granted.

3. In the nature of order we propose to pass, it is not necessary to issue notice.

4. It is not in dispute that the appellant was removed from service on compulsory retirement. According to the appellant, he is entitled to compassionate pension in terms of Rule 100 of the Maharashtra Civil Services (Pension) Rules, 1982. It is also submitted that similarly situated persons have been granted relief. But the High Court declined to look into the matter.

5. The appellant is permitted to make an appropriate representation before Respondent No.1, within a period of one month from today. In the event of such a representation being filed, the same shall be considered by Respondent No.1 on merits and appropriate orders, in accordance with law, shall be passed thereon within three months from the the date of filing the same.

6. In case, the appellant requests for an opportunity of hearing, the same shall also be granted to him. We make it clear that the impugned judgment of the High Court shall not stand in the way of Respondent No.1 in passing the orders, as above.

7. The appeal is, accordingly, disposed of.
8. Pending applications, if any, shall stand disposed of.
9. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[R. BANUMATHI]

NEW DELHI;
MARCH 31, 2017.

SUPREME COURT OF INDIA



JUDGMENT