

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION NO. 247 / 2019 (S.B.)**

Mangal Ramu Rathod,  
Aged about 62 years,  
Occ. Retired Government Servant,  
R/o Circuit House Road, Gopal Nagar,  
Paratwada, District Amravati.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
through its Secretary,  
Department of School Education and Youth,  
Mantralaya, Mumbai-32.
- 2) Chief Executive Officer,  
Zilla Parishad, Washim.
- 3) Education Officer (Primary),  
Zilla Parishad, Washim.

**Respondents**

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**Shri R.V.Shiralkar, Id. Advocate for the applicant.**

**Shri A.P.Potnis, Id. P.O. for the Respondent no. 1.**

**None for the respondents 2 & 3.**

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**Coram :- Hon'ble Shri M.A.Lovekar, Member (J).**

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**JUDGMENT**

**Judgment is reserved on 07<sup>th</sup> Feb., 2023.**

**Judgment is pronounced on 10<sup>th</sup> March., 2023.**

Heard Shri R.V.Shiralkar, Id. counsel for the applicant and  
Shri A.P.Potnis, Id. P.O. for the Respondent no. 1. None for the  
respondents 2 & 3.

2. The applicant was holding the post of Block Education Officer at Risod, District Washim. He retired on superannuation on 31.12.2014. As per Circular dated 18.12.2013 his pension case should have been prepared in advance so as to ensure timely payment of retiral benefits. His representation dated 27.04.2015 (A-3) and legal notice dated 13.10.2016 (A-4) went unheeded. Hence, this original application for following relief:-

*“Direct the respondents to pay arrears of increments from 2011 onwards, amount of leave encashment, amount of Group Insurance Scheme, Amount of Travelling allowances for which bills are submitted together with interest @ GPF from 31.12.2014 till its actual realization, in the interest of justice.”*

3. In their reply respondents 2 & 3 have raised following contentions. The applicant did not complete paper work which was needed to release the benefits. Notices dated 09.04.2019 and 04.3.2020 were issued calling upon the applicant to make necessary compliance (Copies of these notices are not filed). The applicant did not submit performa no. 7 which was necessary to release amount of G.I.S.. The applicant did not get his tour programme approved in advance. He did not submit travel bills within the stipulated time, either. Therefore, the same could not be processed.

4. In his additional affidavit the applicant has asserted that he had been to the office of respondent no. 3 on 11.04.2022 as per order dated 04.04.2022 passed by this Tribunal. It is his assertion:-

*“When the applicant reached there in the office of respondent no. 3, his file was called which was traced after 2 hrs, wherein proposal for G.I.S., Leave Encashment with objection from treasury, bills regarding increments, in service TA bill and other documents were there. No signature was taken on any paper though it was stated before the Tribunal that signatures of the applicant are required.”*

5. It is the contention of the applicant that on the date of filing of instant O.A. the applicant was yet to get Rs. 44,000/-, Rs. 1,60,000/-, Rs. 45,000/- and Rs. 65,000/- towards arrears of increments, leave encashment, G.I.S. and transfer allowance, respectively.

6. On 20.07.2022 Id. Counsel for the applicant made a statement that the applicant was paid an amount of Rs. 1,61,717/- towards leave encashment. Record shows that the applicant is yet to receive other payments. On 21.06.2022 this Tribunal had recorded a statement of Id. Counsel for the respondents 2 & 3 that amount of gratuity, G.I.S., leave encashment and arrears of increments shall be paid

within 15 days. This commitment has been flouted barring the payment of amount of leave encashment. In this factual scenario following order is required to be passed.

O R D E R

- A. **Respondents 2 & 3 are directed to pay to the applicant amounts due within two months** from the date of receipt of this order.
- B. In case presence of the applicant is necessary for making any of these payments so as to complete paperwork, respondents 2 & 3 shall intimate him in advance by Speed-Post so as to adhere to this time frame.
- C. Issue of interest is kept open.
- D. The O.A. is allowed in these terms with no order as to costs.

**(Shri M.A.Lovekar)**  
**Member (J)**

**Dated :- 10/03/2023.**  
**aps**

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Member (J).

Judgment signed on : 10/03/2023.  
and pronounced on

Uploaded on : 13/03/2023.