

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO. 947 OF 2015

RAMESH APPASAHEB JADHAV
AND OTHERS.

..PETITIONERS.

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS.

..RESPONDENTS.

...

Advocate for Petitioners : Mr.Adwant S.V.
AGP for Respondents/State: Mr.S.D. Kaldate.
Advocate for Respondent 3 : Mr.Navandar Manish N.

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CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: NOVEMBER 20, 2015.

PER COURT:

Rule. Rule made returnable forthwith. With the consent of the parties, taken up for final hearing.

2 It is not disputed by the learned Counsel for the respective parties that the issue raised in the present writ petition is no longer *res-integra* in view of the judgment of the Apex Court in a case of ***Association of College and University Superannuated Teachers Vs. Union of India in S.L.P. (Civil) No.3700 of 2012 dated January 30, 2013***. It is submitted that, in this petition also the petitioners enlisted in Exhibit-A have all superannuated in between 01.01.2006 to 26.02.2009 and they are governed by the judgment of the Apex Court referred supra.

3 In the light of that, it is the obligation of the State to pay
to the present petitioners the difference of the gratuity already
paid and enhanced gratuity payable in view of Government
Resolution dated 05.05.2009.

4 In the light of that, Rule is made absolute in terms of
prayer clause “(d)”. The said difference be paid expeditiously
and preferably within a period of six (6) months from today.
Petition stands disposed of, accordingly. No order as to costs.

(P.R. BORA, J)

(S.S. SHINDE, J)

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