

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1394 OF 2015

Nirmala W/o Apparao Vairagkar,
Age : 54 Years, Occu. : H.H.,
R/o Sharda Nagar, Ambajogai Road,
Latur, Tq. & Dist. Latur. .. Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
Finance Department,
Mantralaya, Mumbai - 32.
2. The Accountant General - II (A&E),
Pension Wing Old Building,
In front of Ravi Bhavan,
Nagpur.
3. The Account Officer (Education),
Latur, Dist. Latur. .. Respondents

Shri N. D. Kendre, Advocate for the Petitioner.
Shri A. S. Shinde, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
V. L ACHLIYA, JJ.**

DATE : 05TH FEBRUARY, 2015.

ORAL JUDGMENT (Per S. V. Gangapurwala, J.) :-

. Rule. Rule made returnable forthwith. The learned A. G. P. waives notice of rule. With the consent of parties taken up for

final hearing.

2. Mr. Kendre, the learned counsel submits that, the husband of the petitioner retired on 30th April, 2007 and as per the judgment of the Division Bench of this Court in Writ Petition No. 8985 of 2011 dated 09th May, 2014 this Court had held that, even those persons who have retired in between 01.01.2006 to 26.02.2009 are entitled for the benefit of Government Resolution dated 30th October, 2009.

3. The learned counsel further submits that, even the review filed by the State of the said judgment is rejected.

4. We have heard the learned Assistant Government Pleader also.

5. The issue involved in present writ petitions is no longer *res-integra* in view of the judgment dated 09th May, 2014 in Writ Petition No. 8985 of 2011 with other connected writ petitions. Those persons who have retired in between 01.01.2006 to 26.02.2009 will also be entitled for the benefit of Government Resolution dated 30th October, 2009 with regard to the revised pension.

6. In the light of the above, we pass the following order.

7. The respondents shall consider the case of the husband of

the petitioner for payment of revised pension in terms of Government Resolution dated 30th October, 2009 after satisfying itself about the eligibility of the husband of the petitioner expeditiously and preferably within a period of four (4) months from today. The petitioner shall also comply with the formalities required for processing revised pension and family pension.

Rule accordingly is made absolute in above terms. No costs.

Sd/-

[V. L ACHLIYA, J.]

Sd/-

[S. V. GANGAPURWALA, J.]