

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5155 OF 2014

UMESHCHANDRA VITHALRAO SUDRIK
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Choudhari Yuvraj S
AGP for Respondent State: Mrs.S.A.Dhumal

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

DATE : 9th February, 2015.

P.C. :

Mr.Y.S.Choudhary, learned counsel for petitioner submits that the case of the petitioner is covered by judgment of the Division Bench of this Court at Nagpur in Writ Petition No.5771/2011 with connected Writ Petitions dated 10/6/2013. According to the learned counsel, the petitioner retired on 1/12/2013 as a Lecturer from Ayurved College, Ahmednagar. The petitioners in Writ Petitions referred supra are similarly situated persons and the State has also given benefits to those persons pursuant to the said judgment vide Government Resolution dated 17/1/2015.

2] The learned AGP does not dispute that the present petitioner is similarly situated as that of petitioners in Writ Petition No.5771/2011 and other connected Writ Petitions which is disposed of by judgment dated 10/6/2013. The learned AGP

submits that the Special Leave Petition is filed against the said judgment. The Special Leave Petition is dismissed, however, Review Application has been filed by the State and the benefits which are given, have been given subject to the decision in the said Review Application.

3] In light of above, we also follow the same course. However, benefit which is granted in the said judgment is from the date of the petition.

4] In light of the above, the petitioner would be entitled for the pension-cum-gratuity from the date of the present petition i.e. 5/2/2014, however, subject to the decision in Review Application filed by the State before the Apex Court.

5] Writ Petition is accordingly disposed of. No costs.

V.L.ACHLIYA,J.

S.V.GANGAPURWALA,J.

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