

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2520/2015

Subhash s/o Janardhan Kale
Age 64 years, Occ-Pensioner
R/o Plot No.7, Chandraprabha colony
Near Khajamiya Darga, Jalgaon. ..PETITIONER

Versus

- 1] The State of Maharashtra
Through its Secretary
School Education Department
Mantralaya, Mumbai-32
 - 2] The Additional Chief Secretary
Department of Finance
Government of Maharashtra
Mantralaya, Mumbai-32
 - 3] Accountant General, Mumbai
Maharashtra State,
Mumbai-32
 - 4] The Education Officer (Secondary)
Zilla Parishad, Jalgaon
Dist.Jalgaon ..RESPONDENTS
- ...

Mr.V.G.Salgare,Adv. For petitioner
Mr.G.K.Thigale,Addl.Govt.Pleader for respondent State.

...

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA,JJ.
DATE : 5th MARCH, 2015.**

ORAL JUDGMENT [PER S.V.GANGAPURWALA,J. :

1] Rule. Rule made returnable forthwith. The learned Addl. Govt. Pleader waives notice of rule. With the consent of parties taken up for final hearing.

2] Mr. Salgare, the learned counsel submits that, the petitioner has retired on 31/8/2008 and as per the judgment of this Court dated 09th May, 2014 in Writ Petition No. 8985 of 2011 with other connected writ petitions, the cut off date has been held to be erroneous and the benefit of the Government Resolution dated 30th October, 2009 has also been granted to those persons who have retired between 01.01.2006 to 26.02.2009.

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 Additional Government Pleader also.

5] The issue involved in present writ petition is no longer resintegra 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 :

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

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

V.L.ACHLIYA,J. S.V.GANGAPURWALA,J.

umg/