

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

WRIT PETITION NO. 2634 OF 2015

Manik s/o Vishambhar Shengole,
Age: 65 Years, Occu.: Pensioner,
R/o: N-2 P-2/7/1 Vitthalnagar,
CIDCO, Aurangabad,
Tq & Dist. Aurangabad.

... 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] The Accountant General,
Pension Division, Civil Lines,
Nagpur- 1.

4] The Education Officer (Secondary),
Zilla Parishad, Aurangabad,
Dist. Aurangabad.

... RESPONDENTS

WITH

WRIT PETITION NO. 188 OF 2015

Smt. Hemlata Vijay Kulkarni,
Age: 61 Years, Occu.: Pensioner,
R/o: N-3-384 CIDCO,
Aurangabad, Tq & Dist. Aurangabad.

... PETITIONER

VERSUS

- 1] The State of Maharashtra
Through its Chief Secretary,
Government of Maharashtra,
Mantralaya, Mumbai- 32.
- 2] Department of Finance
Government of Maharashtra,
Through its Additional Chief Secretary,
Mantralaya, Mumbai- 32.
- 3] The Accountant General,
Pension Wing, Civil Lines,
Nagpur 440 001
- 4] The School Education Department
Government of Maharashtra,
Through its Secretary,
Mantralaya, Mumbai- 32.
- 5] The Education Officer (Secondary),
Zilla Parishad, Aurangabad,
Dist. Aurangabad.

... **RESPONDENTS**

Mr. Mr. Vitthal G. Salgare, Advocate for the Petitioners.
Mr. A.S.Shinde, AGP for Respondent / State.

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

DATE : 09th March, 2015.

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

1] 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. Salgare, the learned counsel submits that, the petitioners in these writ petitions have retired between 01st January, 2006 to 26th February, 2009 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 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 petitioners for the payment of revised pension in terms of Government Resolution dated

30th October, 2009 after satisfying itself about the eligibility of the petitioners expeditiously and preferably within a period of four (4) months from today. The petitioners may also comply with the formalities required for processing revised pension papers.

8] Rule accordingly is made absolute in above terms.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

ndm