

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 3360 OF 2015

Kashinath S/o Patloba Karhad
Age : 66 years, Occ : Pensioner,
R/o Rameshwar, Tq. & dist. Latur
At present R/o Lohara (East),
Tq. Kallam, Dist. Osmanabad.

..PETITIONER

-VERSUS-

1. The State of Maharashtra
Through its Secretary,
Finance Department,
Mantralaya, Mumbai – 32.
2. Chief Executive Officer,
Zilla Parishad, Osmanabad.
3. The Senior Accounts Officer,
(Education) Department,
Zilla Parishad, Osmanabad.

..RESPONDENTS

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Advocate for Petitioner : Mr. Tele Ashok B.
AGP for Respondent/State : Mr. D.V. Tele
Advocate for Respondent nos.2 and 3 : Mr. Sushant
Chaudhari

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CORAM : S.S. SHINDE & RAVINDRA V. GHUGE, JJ.

Dated: April 21, 2015

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ORAL JUDGMENT(PER S.S. SHINDE, J.):-

. Rule. Rule made returnable forthwith. The learned A.G.P. waives notice of rule. Mr. Sushant Chaudhari, the learned counsel waives notice of rule on

behalf of Respondent Nos. 2 and 3. With the consent of parties taken up for final hearing.

2. Mr. Tele, the learned counsel submits that, the petitioner in this Writ Petition has retired on 31.01.2008 i.e. in between 1st January, 2006 to 26th February, 2009 and as per the judgment of this Court dated 9th 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 1st January, 2006 to 26th February, 2009.

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

4. We have heard the learned Additional Government Pleader and the learned counsel appearing for Respondent Nos. 2 and 3.

5. The issue involved in the present Writ Petition is no longer *res-integra* in view of the judgment dated 9th May, 2014 in Writ Petition No. 8985 of 2011 with other connected Writ Petitions. Those persons who have retired in between 1st January, 2006 to 26th February, 2009 will be entitled for the benefit of Government Resolution dated 30th October, 2009 with regard to the revised pension.

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

The respondents shall consider the case of the 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 the revised pension papers.

7 Rule accordingly is made absolute in above terms.

Sd/-
(**RAVINDRA V. GHUGE, J.**)

Sd/-
(**S.S. SHINDE, J.**)

sga/-

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