

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

WRIT PETITION NO. 3350 OF 2015

Mohan Baburao Kadam
Age : 65 years, Occ : Retired Headmaster,
R/o Bhagya Nagar, Near Gurukrupa Colony,
Behind OM Residency,
Taluka Beed, Dist. Beed.

... PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Finance Department,
Mantralaya, Mumbai – 32.
2. The Accountant General-I (A&E),
Pratibha Bhavan, (Old CGO Bld.),
101, Karve Marg,
Mumbai – 20.
3. The Account Officer, (Education),
Ahmedangar, Dist. Ahmednagar.

... RESPONDENTS

WRIT PETITION NO. 3362 OF 2015

Baruwan Rangnath Dambre
Age : 65 years, Occ : Retired Professor,
R/o Ganpati Nagar, Behind Old
Saraswati School, Anjani Niwas,
Taluka Beed, District Beed.

... 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),
Beed, Dist. Beed.

... RESPONDENTS

Mr. P.N. Khedkar, Advocate for the Petitioners.
Mr. N.B. Patil & Mr. D.V. Tele, AGPs for Respondents.

CORAM : **S. S. SHINDE &
P.R. BORA, JJ.**

DATE : 27th April, 2015.

ORAL JUDGMENT: (Per S. S. SHINDE, J.)

1 Rule. Rule made returnable forthwith. The learned AGP waives notice of Rule. With the consent of the learned counsel appearing for the parties, the petitions are taken up for final hearing.

2 Mr. Khedkar, the learned counsel submits that, the Petitioners in these writ petition 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 Pleaders 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 :

I. The respondents shall consider the case of the

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 family pension papers.

- II. Rule accordingly is made absolute in above terms.

[P.R. BORA, J.]

[S. S. SHINDE, J.]

sga/-