

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD**

957 WRIT PETITION NO. 5047 OF 2015

GOVIND DADARAO WAGH AND OTHERS  
VERSUS  
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Bhalerao Sudhir G.  
Mr. NB Patil, AGP for Respondents:

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

**DATE :     8<sup>th</sup> May, 2015.**

**PER COURT :**

1)           Learned counsel for the Petitioners states that the cut off date i.e. 27<sup>th</sup> February, 2009 prescribed in the Government Resolution dated 30<sup>th</sup> October, 2009 for payment of revised pension under the Maharashtra Civil Services (Pension) Rules, 1982, making it applicable to those employees who retired between 1<sup>st</sup> January, 2006 to 26<sup>th</sup> February, 2009, is declared unconstitutional. According to the learned counsel for the petitioners, in the present writ petition, the petitioners have retired in between 1<sup>st</sup> January, 2006 to 26<sup>th</sup> February, 2009 and the judgment delivered by this Court in Writ Petition No.8985 of 2011 with other connected matters, dated 09<sup>th</sup> May, 2014 is applicable.

2)           Learned A.G.P., after going through the said judgment, does not dispute that the said judgment is

applicable.

3) For the reasons recorded in the judgment delivered by the Division Bench of this Court dated 9<sup>th</sup> May, 2014 in Writ Petition No.8985 of 2011 with connected matters, the present writ petition also stands allowed. The State shall pay to the petitioners the difference of the pension and the revised pension payable as directed by this Court in Writ Petition No.8985 of 2011 with other connected matters. Rule accordingly is made absolute. No costs.

**(P.R.BORA)**  
**JUDGE**

**(S.S.SHINDE)**  
**JUDGE**

bdv/