

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) **WP NO.4903/2015 and
4904/2015**

23 WRIT PETITION NO. 4903 OF 2015

Dr.Ravindra s/o Mohanappa S.Somnathpurkar,
Age 66 years, Occu: Retired Medical
Officer, r/o Shanti-kutir,
Somnathpur, Udgir,
Tq. Udgir, District Latur.

...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 Accounts Officer,
Beed, District Beed.

...RESPONDENTS

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Advocate for Petitioner :Mr. Halkude S.S.
AGP for Respondent State: Mr.K.J.Ghute Patil

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24 WRIT PETITION NO. 4904 OF 2015

Premakar s/o Sadashiv Shete,
Age 65 years, occu: Retired Medical
Officer, r/o. Vita Road, Sonpeth,
Tq. Sonpeth, District Parbhani.

...PETITIONER

VERSUS

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

**WP NO.4903/2015 and
4904/2015**

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 Accounts Officer, Parbhani,
District Parbhani.

...RESPONDENTS

...

Advocate for Petitioner : Mr. Halkude S.S.
AGP for Respondent State: Mr. K.J. Ghute Patil

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CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: April 28, 2015

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PER COURT :-

1. Not on Board. Taken on Board.
2. 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.
3. Mr. S.S. Halkude, the learned counsel submits that, the Petitioners in both 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

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(3)

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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.

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

5. We have heard the learned Additional Government Pleader also.

6. 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.

7. 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)

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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.)

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