

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

WRIT PETITION NO. 7828 OF 2015

UMRAO ONKAR CHAUDHARI
age 67 years, occ. Pensioner,
R/o Plot No.25, Om Shanti Nagar,
Amalner, Tq. Amalner, Dist. Jalgaon. Petitioner.

VERSUS

1. The State of Maharashtra,
Through its Additional Chief Secretary,
Finance Department,
Mantralaya, Mumbai – 32.

2. Accountant General, Mumbai
Maharashtra State,
Mumbai – 32.

3. The Education Officer (Secondary)
Zilla Parishad, Jalgaon,
Dist. Jalgaon. Respondents.

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Advocate for Petitioner : Mr. V.G. Salgare
AGP for Respondents: Mr. P.P. More

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.

Dated: July 30, 2015

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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 petitioner in this writ petition is retired on 31.03.2006 (i.e. 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 Assistant Government Pleader also.

5. The issue involved in present writ petition 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 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 revised pension papers.

Rule accordingly is made absolute in above terms.

Sd/-

(V.K. JADHAV, J.)

sd/-

(S V GANGAPURWALA, J.)

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aaa/-