

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****WRIT PETITION NO. 10494 OF 2014**

Bombay University and College
Teacher's Union & Ors.

....Petitioners.

Vs.

The State of Maharashtra & Ors.

....Respondents.

Mr. Rahul Devdhar i/by Mr. Suresh M. Kamble for the Petitioners.
Ms. S.S. Bhende, AGP for Respondent Nos. 1 and 2.
Mr. R.A. Rodrigues for Respondent No. 4.

**CORAM : ANOOP V. MOHTA AND
K.R. SHRIRAM, JJ.
DATE : 24 APRIL 2015.**

P.C.:-

Rule, Rule is made returnable forthwith. Heard finally by
consent of the parties.

2 The learned counsel appearing for the Petitioners pointed
out the Judgment passed by this Court in Shivaji University Teachers
Association (SUTA) Vs. The State of Maharashtra & Anr. (Writ Petition
No. 8256 of 2013) dated 13 October 2014, which has foundation of a
Supreme Court Judgment passed in Association of College and

University Superannuated Teachers Vs. Union of India & Ors., dated 30 January 2013. and therefore, contended that the Petition can be allowed in terms of prayer clause (c), as it covers the similar case and circumstances read with Government Resolution dated 5 May 2009, and thereby entitled to all the benefits of enhanced gratuity w.e.f. 1 January 2006.

3 The learned counsel appearing for the Respondents, in view of the legal position so recorded above, and as the facts and circumstances are similar and as there is nothing on record and position of law, we are inclined to allow the present Petition in terms of prayer clause (c) for the same reasons.

4 Writ Petition is allowed in terms of prayer clause (c), accordingly.

5 Rule is made absolute accordingly. There shall be no order as to costs.

(K.R. SHRIRAM, J.)

(ANOOP V. MOHTA, J.)