

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 55/2013

(KANHAIYALAL SHIONARAYAN TIWARI **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri S.R. Deshpande, counsel for the petitioner.
 Mrs.B.H. Dangre, G.P. for the R-1 & 4.
 Shri J.Y. Ghurde, counsel for the R-2.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATE : OCTOBER 19, 2015.

The learned counsel for the parties state that the issue involved in this writ petition was also involved in a bunch of writ petitions bearing Writ Petition No.820 of 2015 and others and this Court has, by the order dated 28.09.2015, granted the benefit of pension as per the Maharashtra Civil Services (Pension) Rules, 1982 from the date of filing of the petition to those employees of the Ayurvedic Colleges that were appointed before 01.11.2005. It is stated that the Government is directed by the said order to consider the cases of the petitioners in those petitions within a period of six months. It is stated that it is further held that in respect of the employees that are appointed after 01.11.2005, the Defined Contributory Pension Scheme would be applicable. It is stated that a similar order could be passed in this writ petition also, on parity.

Hence, for the reasons recorded in the order dated 28.09.2015 in Writ Petition No.820 of 2015 and others, we dispose of the writ petition by directing the State Government to grant the benefits of the pension scheme to the petitioner from the date of filing of the petition as the petitioner is admittedly appointed before 31.10.2005. The State Government should grant the benefit of the pension scheme to the petitioner within a period

of six months. The prayer made by the petitioner for a direction to the respondents to pay the difference of wages cannot be granted as it is stated on behalf of the respondent no.2 that the difference of wages has been paid to the petitioner and no amount is due and payable to the petitioner on that count.

Order accordingly. No costs.

JUDGE

JUDGE

APTE