

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

CIVIL APPLICATION NO. 11772 OF 2016

IN RA/169/2016

THE STATE OF MAHARASHTRA THROUGH THE DIVISIONAL FOREST
OFFICER BEED

VERSUS

KERABAI LIMBAJI DEOKAR

WITH

CIVIL APPLICATION NO. 11773 OF 2016

IN RA/168/2016

THE STATE OF MAHARASHTRA THROUGH THE DIVISIONAL FOREST
OFFICER BEED

VERSUS

KANTABAI RAOSAHEB RAJPURE

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Advocate for Applicants : Mrs.Bharaswadkar Patil Kalpalata.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 26th August, 2016

Per Court:

1 In both these Civil Applications, the Applicants seek modification of the directions of this Court dated 02.09.2015 by which the Applicants were directed to allot the work to the Non Applicants/ Employees.

2 The learned Advocate for the Applicants submits that the Non Applicants/ Employees in both these applications are more than 60 years of age and considering that the age of superannuation is 60 years, they cannot be allotted the work. However, both the Non Applicants/

Employees have now preferred Complaint (ULP) Nos.101/2016 and 97/2016 before the Industrial Court seeking a direction to the Applicants to allot the work.

3 Considering the grievance put forth by the Applicants in these Civil Applications and considering the settled position of law, I am of the view that both these Civil Applications can be disposed of without issuance of notice to the Non Applicants/ Respondents for the reason that the law of this land is that an employee in the services of the employer, shall have to retire at the age of 60 years under the Model Standing Orders or on attaining the specific age prescribed to be the age of superannuation under any contract, rules, settlement or terms of service conditions.

4 As such, the Applicants will have to closely scrutinize and verify the exact age of the two Non Applicants, namely, Kerabai Limbaji Deokar and Kantabai Raosaheb Rajpure and accordingly, take a decision.

5 With the above observations, both these Civil Applications are disposed of.