

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**CIVIL APPLICATION NO.15980 OF 2016**

**Rubab Lalkha Pinjari and another Vs. The State of  
Maharashtra and others.**

**IN**

**WRIT PETITION NO.11487 OF 2015.**

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| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders |
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Mr.S.S.Patil, advocate for the applicant.

Mrs.V.N.Patil, A.G.P. for the State.

Mr.N.N.Desale, advocate for Respondent Nos.4 and 5.

**CORAM : S.V.GANGAPURWALA AND  
K.L.WADANE, JJ.**

**Date : 09.12.2016.**

**PER COURT :**

1. Heard.

2. Mr.Patil, learned counsel for the Review Applicants submits that applicants have rendered 33 years of service. The applicants were working as Muster Assistants since 1981-82. Though the Government Resolution was issued on 1.12.1995, the applicants though qualified were not absorbed in the Government service as per the policy decision laid down in Government Resolution dated 1.12.1995. The learned counsel submits that the applicants were absorbed only on 31.5.2015, however, their services for pensionary

benefits be counted from the year 1981-82. The State Government be directed to consider the same.

3. We have heard Mr.Desale, learned counsel for Respondent Nos.4 and 5 and learned A.G.P. for the State.

4. The present issue is no longer res-integra in view of the judgment and order dated 13.8.2015, delivered in W.P.No.2589/2012 with connected Writ Petitions. We have held that the service prior to the absorption can not be counted for the purpose of pensionary benefit. The Writ Petition filed by the applicant No.1 in the year 2007 for getting absorbed is also dismissed by this Court on 11.4.2008. The applicants have now put on only one and half year service after absorption.

5. Considering above, no case for review is made out. The Review Application is dismissed. No costs.

**( K . L . WADANE , J . )**

**( S . V . GANGAPURWALA , J . )**

Dt.09.12.2016.  
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