

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.309 OF 2015

[Nasrin Fatema Abdul Gaffar and others .vs. The State of Maharashtra and others]

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

Court's or Judge's orders

Shri B.G. Kulkarni, counsel for the petitioners,
Mrs. M.S. Naik, A.G.P. for the respondent nos.1 and 2,
Shri P.A. Kadu, counsel for the respondent no.3.
.....

CORAM : SMT. VASANTI A. NAIK AND
A.S. CHANDURKAR, JJ.

DATED : FEBRUARY 29, 2016.

By this petition, the petitioners seek a declaration that they are eligible for the benefits of the Maharashtra Civil Services (Pension) Rules, 1982 and General Provident Fund Scheme, as the petitioners were appointed before the cut off date in the year 2005 and the respondent no.5-School was brought on grant-in-aid from the year 2003-04.

The learned counsel for the respondents submit that the respondent no.5 – School was brought on grant-in-aid to the extent of 40% and since the respondent no.5 – School was not brought on 100% grant-in-aid, the petitioners were not entitled to the benefit of the Maharashtra Civil Services (Pension) Rules, 1982 and the General Provident Fund Scheme. It is stated that the issue involved in this case stands answered against the petitioners by the judgment reported in 2013 (2) Mh.L.J. 401 (Homraj Hansaram Bisen and others .vs. State of Maharashtra and others).

Since the issue is answered against the petitioners by the aforesaid judgment, for the reasons recorded in the said judgment, we dismiss the writ petition, with no order as to costs.

JUDGE

JUDGE

Gulande