

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

WRIT PETITION NO. 1256 OF 2018

Association of College and University
Superannuated Teachers Through
Its President M. A. Wahul .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Ms. Sneha Kamble, Advocate h/f Shri S. V. Adwant, Advocate for
the Petitioner.

Shri A. P. Basarkar, A.G.P. for Respondent Nos. 1 to 3, 5 to 14.

Shri S. B. Deshpande, A. S. G. for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.**

DATE : 06TH JULY, 2018.

FINAL ORDER :

. The learned counsel for the petitioner seeks leave to delete the respondent No. 15. The leave to delete the respondent No. 15 is granted at the risk of the petitioner.

02. Rule. Rule made returnable forthwith. The learned A.G.P. waives notice of rule. With the consent of parties taken up for final hearing.

03. Ms. Kamble, the learned advocate holding for Mr. Adwant,

learned counsel for the petitioner submits that the members of petitioner association detailed in the chart Exh. 'A' have retired between 01st January, 2006 to 26th February, 2009 and as per the judgment of this Court dated 9th May, 2014 in Writ Petition No. 8985 of 2011 with other connected writ petitions, the cut off date has been held to be erroneous and the benefit of the Government Resolution dated 30th October, 2009 has also been granted to those persons who have retired between 01.01.2006 to 26.02.2009.

04. The learned counsel further submits that even the review filed by the State of the said judgment is rejected.

05. We have heard the learned Assistant Government Pleader also.

06. The issue involved in present writ petition is no longer *res-integra* in view of the judgment dated 09th May, 2014 in Writ Petition No. 8985 of 2011 with other connected writ petitions. Those persons who have retired in between 01.01.2006 to 26.02.2009 will also be entitled for the benefit of Government Resolution dated 30th October, 2009 with regard to the revised pension.

07. In the light of the above, we pass the following order.

08. The respondents shall consider the case of the members of

petitioner association detailed in the chart Exh. 'A' for the payment of revised pension in terms of Government Resolution dated 30th October, 2009 after satisfying itself about the eligibility of the members of petitioner association expeditiously and preferably within a period of four (4) months from today. The members of petitioner association may also comply with the formalities required for processing revised pension papers. Rule accordingly is made absolute in above terms.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 18