

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

WRIT PETITION NO. 3122 OF 2017

Yousufzai Nasrullah Khan Sujat Khan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Nikhil P. Dube, Advocate for the Petitioner.

Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 and 4.

Shri S. S. Tope, Advocate for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA AND
ARUN M. DHAVAL, JJ.**

DATE : 23RD JANUARY, 2018.

FINAL ORDER :

. The petitioner is working as a Principal on aided B. P. Ed. college. The petitioner seeks benefit of extension of age of retirement upto 62 years at par with principals of other colleges. The age of other principals is extended upto 62 years as per Government Resolutions dated 05th March, 2011, 23rd November, 2011, 28.03.2012 and 13.02.2014. The learned counsel submits that, this issue has been dealt with by this Court at its principal seat at Bombay in Writ Petition No. 585 of 2017 under judgment and order dated November 06, 2017.

2. Mr. Pulkundwar, the learned Assistant Government

Pleader after going through the judgment in the aforesaid case accepts that, the petitioner is entitled for the benefits of extension of age of retirement.

3. In the light of the above, we adopt the same course. The respondents/State is directed to continue the petitioner as a principal till the age of 62 years. In case there is no other impediment on attaining age of 62 years, the case of the petitioner shall be referred to the performance review committee as per Government Resolutions dated 05th March, 2011 and 12th July, 2016 and if the performance review committee finds that the petitioner is eligible, then he shall be continued till the age of 65 years.

4. In view of the aforesaid order, the petitioner would be entitled for consequential benefits. The writ petition accordingly is allowed. No costs.

[ARUN M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]