

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

WRIT PETITION NO. 5798 OF 2018

Mahadeo s/o Bhagwan Khandekar
Age : 70 years, occu.: Pensioner
R/o Khadgaon Road, Wale Nagar,
Latur.

Petitioner.

Versus

1. The State of Maharashtra
Through its Principal Secretary,
Finance Department, Mantralaya,
Mumbai – 32.
2. The Accountant General-II
(A. & E.), Pension Wing, Old
Building, in front of Ravi Bhawan,
Nagpur.
3. The Accountant General,
Through its Account Officer,
Pay Verification Unit Department,
Aurangabad.
4. The Director of Secondary and
Higher Secondary Education,
Maharashtra State, Pune-1.
5. The Divisional Deputy Director
of Education, Latur.
6. The Principal,
District Education and Training
Center, Murud,
Taluka and District Latur.

Respondents.

Mr. R.D. Kawade, Advocate for the petitioner.

Mr. S.G. Karlekar, A.G.P. for the respondent/State.

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

Dated : 14th June, 2018.

ORAL JUDGMENT (PER S.V. GANGAPURWALA, J) :-

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

2. Mr. Kawade, the learned counsel submits that the petitioner has 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.

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

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

5. The issue involved in present writ petition is no longer *res integra* in view of the judgment dated 0th 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.

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

7. The respondents shall consider the case of petitioner for the payment of revised pension in terms of Government Resolution dated 30th October, 2009 after satisfying itself about the eligibility of the petitioner expeditiously and preferably within a period of four (4) months from today. The petitioner may also comply with the formalities required for processing revised pension papers.

Rule accordingly is made absolute in above terms.

(SUNIL K. KOTWAL)
JUDGE

(S.V. GANGAPURWALA)
JUDGE