

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

WRIT PETITION NO. 8264 OF 2018

Uttam Shyamrao Deshpande and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri. Mahesh R. Sonwane, Advocate for Petitioners.

Shri. S. G. Karlekar, A.G.P. for Respondent/State.

Shri. S. S. Tope, Advocate for Respondent No. 4.

**CORAM : S.V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.
DATED : 24th July, 2018**

PER COURT:

1. 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. Sonwane, the learned counsel submits that, the petitioners in all these writ petitions have retired between 1st January, 2006 to 26th February, 2009 and as per the judgment of this Court dated 09th 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 petitions 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.

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

- i. The respondents shall consider the case of petitioners for the payment of revised pension in terms of Government

Resolution dated 30th October, 2009 after satisfying itself about the eligibility of the petitioners expeditiously and preferably within a period of four (4) months from today. The petitioners may also comply with the formalities required for processing revised pension papers.

ii. Rule accordingly is made absolute in above terms.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

ass/wp 8264.18