

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**WRIT PETITION NO. 4908/2016.**

Nagpur University Teachers Association and others.

**-VERSUS-**

The Union of India and others.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

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**CORAM : B. P. DHARMADHIKARI**  
**AND A.D. UPADHYE, JJ.**

**DATE : MARCH 16, 2018.**

Heard Shri A. Sheikh h/f. Shri F.T. Mirza,  
learned Counsel for petitioners and Ms. T. Khan,  
learned Counsel for respondent Nos. 2 to 5.

2. Petitioners all Senior Citizens who have retired from various private colleges receiving grant in aid, seek a direction to respondents to extend to them the benefit of revised pension, by ignoring cut off date prescribed as 27.02.2009. It is not in dispute that by Government Resolution dated 27.02.2009, revised pension has been made applicable only to those who retired after 27.02.2009.

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3. Only defence by respondents was of pending Special Leave Petition before the Hon'ble Supreme Court. The Special Leave Petition was preferred against the judgment of Division Bench of this Court reported at 2014 [6] Mh.L.J. 438 (Savitribai Narasya Guddapa .vrs. State of Maharashtra and others). Division Bench at Aurangabad held the cut off date to be arbitrary and directed respondents to extend benefit of pension even to those who have retired between 01.01.2006 to 27.02.2009. This was questioned in Special Leave Petition before the Hon'ble Supreme Court and said Special Leave Petition (Civil) Nos.13140-13151 of 2015 came to be rejected on 11.10.2017. Even Review against it preferred vide Review Petition (Civil) Nos. 460-471 of 2018 has been dismissed on 22.02.2018.

4. In view of these developments, it is apparent that petitioners need to be given benefit of government resolution dated 27.02.2009, if they are otherwise eligible for the same.

5. In Annexure-A with the Writ Petition, petitioners have given name of their college, date of appointment and date of superannuation. The

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respective Colleges accordingly have to process the papers and submit the same to respondent nos. 4 and 5. After receipt of those papers, respondent nos. 4 and 5 have to verify the correctness thereof and then ignoring the cut off date, if petitioners are otherwise eligible, extend to them benefit of revised pension.

6. Accordingly, we direct respondent nos. 4 and 5 to complete this process of verification within a period of three months, after necessary papers are received by their respective office.

7. Writ Petition is, thus, partly allowed and disposed of. No costs.

**JUDGE**

**JUDGE**

Rgd.