

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
54 WRIT PETITION NO.7919 OF 2019**

SAKHARAM JAGANNATH SABALE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Avinash S. Deshmukh and Mr. A. N. Walunjkar,
Advocate for the Petitioner.
Mr. S. G. Karlekar, AGP for Respondents-State.

...
**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATED : 1st JULY, 2019.**

PER COURT:-

1. Heard Mr. Deshmukh, learned counsel for the petitioner and learned A.G.P. for respondents.
2. The learned counsel for the petitioner and the learned A.G.P. are *ad-idem* that the petitioner is covered by the judgment of this Court in writ petition no.8359 of 2013 with connected writ petitions dated 13.08.2015.
3. The petitioner has been granted privilege of permanency in ULP No.560 of 1988 under order dated 29.12.1994.
4. In light of the above, we pass the following order:

ORDER

1. In view of the Judgment and Order dated 29.12.1994 passed by the learned Industrial Court, Ahmednagar, for the purpose of

considering the grant of pensionary benefits, the Petitioner shall be treated as Permanent Employees with effect from the date of his complaint i.e. from the date of filing of his ULP's till the date of superannuation.

2. In case of the Petitioner who was already superannuated, it will be open for him to make a representation to the concerned Authorities for grant of pensionary benefits.

3. If such representation is made, same shall be decided as expeditiously as possible and preferably within a period of four months from the date on which the representation is made.

4. We make it clear that, apart from issuing directions regarding the date of permanent employment of the petitioner, we have not examined the case of the petitioner as regards the eligibility of pensionary benefits.

5. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE