

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

WRIT PETITION NO.7429 OF 2018

Balbhim s/o Mahadeo Kaspate

..Petitioner

Versus

The State of Maharashtra and anr.

..Respondents

Mr F.K. Patel Advocate h/f Mr R.D. Kawade, Advocate for petitioner

Mr S.G. Karlekar, AGP for respondent nos.1, 4 and 5

Mr S.D. Dhongade, Advocate for respondent no.5

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 9th January, 2019

PER COURT

1. The petitioner attained the age of superannuation on 31.12.2008. He seeks quashing and setting aside the Government Resolution dated 30.10.2009 and to make applicable Government Resolution dated 30.10.2009 to the petitioner.

3. This Court, under its judgment dated 9.5.2014 passed in Writ Petition no.8985 of 2011 with connected writ petitions has held that the norms in the said Government Resolution which entitled benefits of revised pension to those employees, who have retired from 1.1.2006 to 26.2.2009, as unconstitutional and has allowed the said writ petitions.

4. In view of the aforesaid judgment as petitioner is similarly placed he shall be entitled to benefits of revised pension.

5. In view of above, we direct that within four months from the date of receipt of this order, the State Government shall pay to the petitioner the difference of pension and revised pension payable to him.

6. Writ Petition disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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