

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

92 WRIT PETITION NO.10223 OF 2018

JANARDHAN BABURAO KAWADE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ORS ..RESPONDENTS

...

Mr. Vitthal G. Salgare, Advocate for the
Petitioner.

Mr. P. S. Patil, AGP for Respondents-State.

Mr. Shrimant Mundhe, Advocate for Respondent Nos.3
and 4.

...

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

DATED : 26th FEBRUARY, 2019.

PER COURT:-

1. The petitioner retired on attaining the age of superannuation on 31.04.2008 as contended by the petitioner.

2. The petitioner claims benefit of 6th Pay Commission as per Government Resolution dated 30.10.2009. The said issue is no longer res-integra. This Court under judgment and order dated 09.05.2014 in Writ Petition No. 8985 of 2011 has held that those who have retired in between 01.01.2006 to 26.02.2009 would also be entitled for the benefit of Government Resolution dated 30.10.2009. Pursuant to the said judgment,

Government Resolution dated 27.12.2018 is issued. The petitioner is covered under Government Resolution dated 27.12.2018.

3. The respondents shall after confirming the date of retirement of the petitioner and after the conclusion that the petitioner had retired between 01.01.2006 to 26.02.2009, shall accord the benefit to the petitioner of Government Resolution dated 27.12.2018 within a period of four (4) months from today.

4. The writ petition accordingly stands disposed of. No costs.

(A. M. DHAVALÉ)
JUDGE

(S. V. GANGAPURWALA)
JUDGE