

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO.184 OF 2009

Shri. Vasant S. Maneck

..Petitioner

Versus

State of Maharashtra and another

..Respondents

Mr. Sagar Joshi I/by Mr. S. M. Oak – Amicus Curiae.

Mr. M. M. Pabale, AGP for Respondent No.1 – State.

Mr. Piyush Pande I/by Ms. Neha Bhide, Advocate for Respondent No.2 – MHADA.

**CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATE : 19th AUGUST, 2019

P.C.

1] Letter Petition was registered as Suo-moto Petition. The writer of the letter informed that he joined Maharashtra Housing Board (now MHADA) on 22.10.1951 as a Junior Clerk and superannuated from service on 31.01.1983 as First Clerk (Head Clerk). Very innocently he raised the grievance that he was not paid pension.

2] Suffice it to state that the writer of the letter was a member of the Contributory Provident Fund Scheme and on superannuation was paid the amount lying to his credit in the CPF. The issue raised in the letter appears to be premised on the fact that employees of

MHADA who had superannuated from service and were paid dues lying to the credit in the CPF account made a representation to MHADA on 28.10.1980 praying that they should be paid pension. On 18.12.1982 vide Resolution No.602, MHADA agreed in principle. On 31.10.1983 the State Government granted in principle approval but on the condition that Maharashtra Civil Services Rules should be made applicable to the employees of MHADA and secondly the financial burden should be borne by MHADA. MHADA passed the necessary resolution and informed the State Government of the same on 16.03.1991, however, final decision was not taken by the State Government.

3] Writ Petition No.2353 of 1993 was filed by some employees of MHADA at the Nagpur Bench of this Court which was disposed of with a direction to the State Government to take a final decision and if it was to pay pension, terms thereof be framed. The State Government took a decision not to sanction the pension scheme.

4] This led to a batch of Writ Petitions being filed in this Court; lead matter being *Writ Petition No.346 of 2013 MHADA Sevanivrutta Karmachari Seva Sangh Vs. Vice President, MHADA.* Noting aforesaid facts, the Division Bench dismissed the batch of Petitions vide its order dated 19th March 2014. The reason is obvious. The employees who were governed by the Contributory Provident Fund Scheme received the amounts lying to the credit of the fund in which each month government contribution was credited.

5] Thus, we terminate proceedings in the instant Petition by dismissing the same.

SMT. BHARATI DANGRE, J

CHIEF JUSTICE