

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

WRIT PETITION NO.12752 OF 2016

Dr. Mrs. Rajlakshmi W/o Vishnu Barve ..Petitioner
Versus
State of Maharashtra and others ..Respondents

Mr. Prabhanjan Gujar, Advocate for the Petitioner.
Mr. M. M. Pabale, AGP for the Respondent - State.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 25th JUNE, 2019

P.C.

1] Regretfully, the Writ Petition which was filed on 12th August 2016 could not be taken up for even a preliminary hearing and today is the first date when the Writ Petition has been listed for a preliminary hearing.

2] The Petitioner was working as an Associate Professor under the 5th Respondent affiliated to the 4th Respondent University.

3] Age of superannuation of the teaching fraternity notified by the University and applicable to its affiliated or constituent colleges was 60 years. By a Government Resolution dated 25.02.2011,

extension in service by two years was permissible upon evaluation of the performance of the teaching faculty. The Petitioner attained the age of superannuation i.e. 60 years on 17.05.2016. Her case for extension in service was being considered when a Government Resolution dated 12.07.2016 was issued revoking the Government Resolution dated 25.02.2011. The said Resolution specifically records that those who have been conferred benefit of extension in service shall continue to avail the benefit and those whose cases are pending for consideration would not be entitled to continue in service. The said clause in the resolution has not been challenged.

5] Since Petitioner's case for extension in service was under consideration when Government Resolution dated 12.07.2016 was promulgated, no benefit as prayed for can be granted to the Petitioner. We cannot direct her service to be extended by two years. Even otherwise, said two years' period came to an end on 17.05.2018.

6] The Petition is dismissed.

N. M. JAMDAR, J

CHIEF JUSTICE