

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

WRIT PETITION (ST) NO. 10616 OF 2020

Naser Ahmed Razvi s/o Syed Zahiruddin ..PETITIONER

VERSUS

State of Maharashtra and Others ..RESPONDENTS

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Mr. A.S. Deshpande, Advocate for petitioner

Mr. D.R. Kale, G.P. for respondent – State

Mr. S.K. Kadam, Advocate for respondent no.4

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**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATE : 16th JUNE, 2020

ORDER :

The petitioner assails the order passed by Maharashtra Administrative Tribunal, rejecting the application for interim relief.

2. Mr. Deshpande, learned Counsel for the petitioner contends that the government has extended the age of retirement of lecturer of Statistics to 64 years. Nomenclature of the post has been changed at the time of petitioner's appointment from lecturer in Statistics to lecturer in Statistics and Demography. Learned Counsel submits that by Government Resolution dated 20th September, 2019, the age of superannuation of the lecturer in Statistics has been enhanced to 64 years. The same would also be applicable to the lecturer in Statistics and Demography. In fact, lecturer in Statistics and Demography is not a different post. It is only the case of change in

nomenclature. The petitioner is also recognized and approved by M.C.I. He has been issued with identity card by M.C.I. Approval has been issued by the Maharashtra University of Health Science, Nashik. It is incorrect to state that the post of Statistics and Demography is not recognized by M.C.I. The Tribunal has failed to consider the said aspect.

3. Mr. Kadam, learned Counsel for Respondent No.4 – M.C.I. submits that the post of Statistics only is recognized by M.C.I. and not Statistics and Demography. Learned Government Pleader also supports the order passed by the Tribunal.

4. We have considered the submissions. It is not disputed that the petitioner is appointed in 1990 on the post of Statistics and Demography. It is a non-clinical post. Under Government Resolution dated 20th September, 2019, the age of retirement of the lecturer in Statistics has been increased to 64 years. Same is on record. However, similar government resolution has not been issued for the post of Statistics and Demography. The original application is pending consideration on merits with the Tribunal. At the time of final decision, it is for the Tribunal to consider all the aspects of the matter.

5. Today there is nothing on record to suggest that the age of retirement of lecturer in Statistics and Demography has been increased. In case the petitioner eventually succeeds in the original application, the

petitioner would be entitled for all the benefits. Today, in absence of any government resolution, it would not be possible for us to accept the request of the petitioner. Whether the post of lecturer in Statistics and the post of lecturer in Statistics and Demography is similar and synonym in all respects and all other aspects are for the Tribunal to decide at the time of final decision of the original application. In light of the above, writ petition stands disposed of. No costs.

(R.G. AVACHAT, J.)
SSD

(S.V. GANGAPURWALA, J.)