

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

957 Writ Petition No.11576 Of 2021

Chandrakant Dattatraya Suryawanshi .. Petitioner
Versus
The State of Maharashtra and Others .. Respondents

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Mr Estling S Murge, Advocate for the Petitioner
Mr P.K. Lakhotiya, AGP for the respondent – State

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CORAM : S. V. GANGAPURWALA AND
R.N. LADDHA, JJ.

DATE : 14-10-2021

PER COURT :

1. Mr Murge, learned Counsel for the petitioner submits that the petitioner was appointed in the year 2001. The petitioner would be governed by the Old Pension Scheme and not by the DCPS. The learned Counsel submits that this aspect has not been considered while negating the claim of the petitioner.

2. The learned Counsel for the petitioner does not dispute that the petitioner was brought on 100% grant-in-aid post on 01-03-2009.

3. In view of the Judgment of the Full Bench of this Court in the case of **Deshmukh Dilipkumar Bhagwan and Ors. Vs. State of Maharashtra and Ors.**, reported in **2019 (3) Mh.L.J. 903**, the old

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pension scheme would apply if the person is on 100% grant-in-aid on or before 01-11-2005.

4. In view of that, no relief can be granted to the petitioner.

5. Writ Petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

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