IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO. 2241 OF 2021

Dr. Sau. Manik Narayanrao Mehare
Age 61 years, Occ. Assistant Professor,
R/o. Vasundhara Apartment,
Dahiwalkar Plot, New Gilani Nagar,
Yavatmal, Tq. & Dist. Yavatmal

.. Petitioner

Versus

1. State of Maharashtra through its Secretary, Higher and Technical Education Dept., Mantralaya, Extension Building, Mumbai.

2. Joint Director Higher Education Amravati Division, V.M.V. Premises, Amravati, Tq. and Dist. Amravati.

3. Babaji Date Arts and Commerce College, Yavatmal, Through its Principal, Shivaji Nagar, Yavatmal, Tq. and Dist. Yavatmal.

.. Respondents

Mr. P. S. Patil, Advocate for petitioner.
Mr. N. R. Patil, A.G.P. for respondent Nos.1 & 2.

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED : 31/08/2021

ORAL JUDGMENT (Per Sunil B. Shukre, J.)

Heard Mr.P.S.Patil, learned counsel for the petitioner and Mr.N.R.Patil, learned AGP for respondent Nos.1 and 2.

(2) **Rule**. Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

(3) It is not in dispute that the issue involved in this petition having same facts, as the facts of the case of **Shri Maruti Dattatraya Patil vs. The State of Maharashtra and ors. in Writ Petition No.13166 of 2017 decided on 03rd October, 2018,** is squarely covered by the view taken in this very case.

(4) Therefore, the Writ Petition is allowed.

(5) The impugned communication is quashed and set aside. It is declared that the petitioner is entitled for pensionary benefits and accordingly, the respondents are directed to pay the pensionary benefits to the petitioner in accordance with law with arrears from the date of superannuation till the actual payment within a period of three months from the date of the order.

(6) Rule accordingly. No costs.

[ANIL S. KILOR] [SUNIL B. SHUKRE]