

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

12 WRIT PETITION NO.9398 OF 2022

**PRABHAVATI NAVNATH GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Avinash M. Reddy
AGP for Respondent / State : Mr. K.N. Lokhande
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 19-09-2022

ORAL ORDER (*PER* SANDEEP V. MARNE, J.) :

. By the present petition, the petitioner challenges judgment and order dated 17.06.2008 passed by the Maharashtra Administrative Tribunal Mumbai, Bench at Aurangabad in Original Application No.514 of 2007. The present petition has been filed after long delay of 14 years and on this ground itself, the present petition deserves to be dismissed. The only ground stated in the petition for late filing of the same is that the petitioner was not aware about passing of the impugned judgment and order on 17.06.2008. The said explanation is unacceptable.

2. Even on merits, we do not find that any case is made out for interference in the order passed by the Tribunal. The petitioner

was admittedly absorbed in the service on 22.10.1996 and retired on attaining the age of superannuation on 31.07.2004. He did not put in 10 years of qualifying service, which is required for pension. Therefore, the Tribunal is justified in dismissing the original application of the petitioner on merits.

3. Mr. Avinash M. Reddy, learned advocate appearing for the petitioner has relied upon Government Resolution dated 25.02.2019. However, on perusal of the said Government Resolution, we find that the only benefit that is extended by the said Government Resolution is to make the old pension scheme applicable to unpaid copywriters, who are absorbed after 01.11.2005. There is nothing on record to indicate that the government extended the benefit of counting the service as unpaid copywriters towards qualifying service. Therefore, even on merits, the petitioner does not have any case.

4. The Writ Petition is accordingly dismissed without any order as to costs.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)