

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

WRIT PETITION NO.11593 OF 2022

QUAZI SHAMEEM BEGUM GULAMMOHIUDDIN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Kedar Ganesh L
AGP for Respondents/State: Mr. S. K. Tambe
...

**CORAM : RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 12th December, 2022

PER COURT :

1. The petitioners have put forth prayer clauses–(B) & (C) as under;

“B. By allowing Writ Petition and by issuing appropriate Writ direction or order in the like nature, respondents be directed to open the General Provident Fund (GPF) accounts of the petitioners and apply them old Pension Scheme without applying scheme laid down vide impugned GR dtd. 29/11/2010 bearing No.ANIYO1006(26/06)MASHI-2 issued by the Govt. of Maharashtra through its School Education and Sport Department, as they were appointed prior to 01/11/2005.

C. Pending hearing and final disposal of writ petition, respondents be directed to open the General Provident Fund (GPF) accounts of the petitioners and apply them old Pension Scheme without applying scheme laid down vide impugned Gr dtd. 29/11/2010 bearing No.ANIYO1006/(26/06)MASHI-2 issued by the Govt. of Maharashtra through its School Education and Sport Department, as they were appointed prior to 01/11/2005.”

2. It is admitted that the petitioners were appointed on 01.06.2000 and the posts occupied by them became 100% grant-in-aid with effect from 01.03.2008.

3. The learned AGP submits that the Government Resolution dated 31.10.2005 and the law laid down by the learned Full Bench of this Court in Writ Petition No.8387/2013 and connected Writ Petitions, indicate that unless the employee is an approved teacher and working on 100% grant-in-aid, which became available prior to 01.11.2005, would be entitled for the old family pension scheme.

4. The learned Advocate for the petitioners submits that the petitioners desire to withdraw this petition, so as to approach the appropriate Government and move a representation praying for the benefits of the old pension scheme.

5. In view of the above, this petition is disposed off as withdrawn, as the petitioners desire to approach the appropriate Government.

6. Needless to state, we have not expressed any opinion on the claims of the petitioners.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)