

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7703 OF 2022**

Vidya Vasant Patil

..... Petitioner

Vs.

State of Maharashtra & Ors.

..... Respondents

Mr. Satyajeet Rajeshirke for the Petitioner

Mrs. P. N. Diwan, AGP for the State

**CORAM: S.V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : JULY 6, 2022

P.C.

1 The learned Counsel for the Petitioner submits that the matter in issue was also the matter in issue in Writ Petition No.8990 of 2021 along with connected matters decided by the Division Bench of this Court under order dated 11th April 2022.

2 In view of that, we follow the same course.

3 Respondent No.3 or Deputy Director of Respondent No.4, as the case may be, are directed to decide case of each of the Petitioner regarding applicability of the old pension scheme as per Maharashtra Civil Services (Pension) Rules, 1982 and Maharashtra Civil Services (Computation of Pensions) Rules-1984 and General Provident Fund Scheme by keeping in view law laid down by this Court in its various judgments including the judgments referred to in the body of the judgment.

4 If it is so found by Respondent No.3 or Deputy Director of Respondent No.4, as the case may be, that the Petitioner is governed by old pension scheme, Respondent No.3 or Respondent No.4, as the case may be, shall issue necessary directions to not to deduct any amount from the salary payable to the Petitioner governed by the old pension scheme for the purpose of its applying to the DCPS or NPS, and shall also issue necessary directions for refunding of theses amounts to the petitioner from whose salary, same are deducted, within four weeks of the date on which such determination is made.

5 In case it is found that the Petitioner is governed by the old pension scheme, necessary directions shall be issued by Respondent No.3 or Deputy Director of Respondent No.4, as the case may be, to open GPF accounts in the name of the Petitioner found eligible for same, within four weeks of the date on which her eligibility is determined.

6 The Petitioner shall appear before Respondent No.3 or Deputy Director of Respondent No.4, as the case may be, on 19th July, 2022.

7 The Writ Petition is disposed of in the aforesaid terms. No costs.

(S. M. MODAK,J.)

(S.V. GANGAPURWALA, J.)