

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2058 OF 2022

Sandhaya Ravindra Saygaonkar	...	Petitioner
Versus		
The State of Maharashtra & Ors.	...	Respondents

Mr. Avinash R. Belge, Advocate for the Petitioner.

Mrs. S. S. Bhende, AGP for the Respondent Nos.1,2 and 8/State.

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

DATED : JUNE 20, 2022

P.C.

1. The learned Counsel for the petitioner submits that the petitioner is appointed on un-aided post in the year 1993. The post on which the petitioner was appointed started receiving 100% grant-in-aid from 1st April 2005. The learned Counsel for the petitioner submits that the petitioner as such is governed by the old pension scheme. The respondents are deducting the amount from the petitioner's salary showing that DCPS scheme would apply.

2. The learned AGP submits that representation filed by the petitioner (page 63) is pending consideration with the Education Officer.

3. Naturally, if the post on which the petitioner is appointed is getting 100% grant-in-aid on 1st April 2005, then the petitioner would have a strong case for being

governed by the old pension scheme. As the representation is pending with Education Officer, the Education Officer shall consider the representation of the petitioner (page 63) for old pension scheme on its own merits expeditiously preferably within four months.

4. The writ petition is disposed of. No costs.

(S. M. MODAK, J.)

(S.V. GANGAPURWALA, J.)