

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1452/2023

Milind s/o Krushnrao Chaudhary

...Versus...

**State of Maharashtra, Through its Secretary, Department of Rural Development
& Water Conservation Mantralaya, Mumbai – 32 and others**

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri N.R. Saboo, Advocate with Ms A.S. Lanjewar, Advocate for petitioner
Shri N.R. Patil, AGP for respondent nos.1 and 2

CORAM : AVINASH G. GHAROTE, J.

DATE : 15/03/2023

1. Heard learned counsel for the petitioner. The petition challenges the order dated 30/09/2022, passed by the Divisional Commissioner Amravati, upholding the order of the Chief Executive Officer, Zilla Parishad, Yavatmal, dated 29/04/2022, whereby the petitioner has been denied the benefit of the old pension rules.

2. The petitioner, who was appointed on a compassionate appointment on 27/04/2006, on account of the demise of his father on 05/12/1979, he being minor at that time, is claiming the benefit of the old pension rules prevalent prior to 31/10/2005. The authorities below, in my considered opinion, have rightly held that since the appointment of the

petitioner was on 27/04/2006 i.e. post 31/10/2005, when the old pension rules ceased to apply, the petitioner cannot claim any entitlement to the old pension rules. I, therefore, do not see any reason to interfere in the impugned order. The writ petition is without any merit is therefore rejected. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar