

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

WRIT PETITION NO.3364 OF 2023

Anil Uttamrao Mankar, Subhash Colony, Amravati

-vs-

State of Maharashtra, Thr. Dept. of Higher and Technical Education, Mantralaya, Mumbai and
ors.

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

Court's or Judge's Orders.

Shri A. S. Manohar, Advocate for petitioner.

Ms N. P. Mehta, Assistant Government Pleader for respondent Nos.1 and 2.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : July 05, 2023

P. C.

1. Heard.

Considering the nature of order proposed to be passed, service on respondent Nos.3 and 4 is dispensed with. Learned Assistant Government Pleader waives service of notice for respondent Nos.1 and 2.

2. The petitioner who came to be appointed as Instructor on 03/07/1997 seeks benefit of the Old Pension Scheme by urging that he was appointed at the respondent No.4-Junior College which was receiving grant-in-aid prior to 01/11/2005. The petitioner has made a representation dated 20/11/2021 to the respondent No.2 seeking such benefit which is followed by a reminder by the respondent No.4-College on 04/07/2022.

3. In these facts, the following directions would serve the interests of justice :

(a) The respondent No.2 is directed to consider the petitioner's representation dated 20/11/2021 as well as reminder sent by respondent No.4-College on 04/07/2022 in the matter of grant of benefit of Old Pension Scheme to the petitioner.

- (b) To enable consideration of his representation, the petitioner shall appear before the respondent No.2 on 17/07/2023.
- (c) The said Authority shall within a period of three weeks from that date take a decision on the said representation and communicate the same to the petitioner.
- (d) Needless to state if the grievance of the petitioner still subsists, he is free to seek legal recourse in accordance with law.
- (e) Order accordingly. The Writ Petition is disposed of with no order as to costs.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)