



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

WRIT PETITION NO. 9156 OF 2015

SANGITA KAKASAHEB PAWAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Sachin S. Tambe h/f Mr. Santosh S. Jadhavar, Advocate for the
Petitioner.

Mr. A. M. Phule, AGP for Respondent Nos.1 and 4.

...

**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATED : 03rd APRIL, 2024.

P.C.

1. The present petition was filed for quashing the order issued by respondent no.3 on 29.12.2014 of cancelling/withdrawing pensionary benefits to the petitioner.

2. The petitioner is the widow of the deceased Kakasaheb Annasaheb Pawar, who was serving as an Assistant Teacher with respondent no.5. He was permanent employee. The respondent no.5 started to receive 100% grant-in-aid since 2008. Unfortunately Kakasaheb expired on 15.02.2013. The family pension was granted. However, it was later on withdrawn and, therefore, present petition.

3. The petitioner is now relying upon the Government Resolution dated 31.03.2023 whereby pension scheme was then made applicable to the employees who were appointed prior to 01.11.2005. Undisputedly, Kakasaheb was appointed on 26.06.1995 with respondent no.5. Now in view of the Government

Resolution dated 31.03.2023 respondent no.5-Management has forwarded the pension papers i.e. fresh proposal on 30.03.2024 to the Education Officer and Pay Unit received the same on 02.04.2023. On earlier date when the petition was before this Court on 19.03.2024, the learned A.G.P. had produced letter dated 19.03.2024 Exhibit-X, wherein it was stated that when the proposal would be submitted for family pension by the Management, then it would be considered within period of 15 days. Since, now the pension papers have reached the Pay Unit on 02.04.2023, we disposed of the petition by giving direction to respondent no.4 and the Pay Unit to decide it within a period of 15 days from today and take further steps.

4. Writ Petition is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE