



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

WRIT PETITION NO. 759 OF 2024

(The State of Maharashtra and others...Vs... Sushila w/o. Gopichand Ganthale)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. A.A. Madiwale, AGP for petitioners.

Mrs. S.W. Deshpande, counsel for respondent.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : FEBRUARY 01, 2024

The contentions are the order impugned goes contrary to the provisions of Maharashtra Civil Services (Pension) Rules, 1982 as respondent employee was not holding qualifying service for extending benefit of the pension rules.

2. The learned Tribunal based on the order of this Court delivered at Aurangabad Bench, in Writ Petition No. 3061/2024 (Shri Dattu s/o. Saidu Shinde Vs. The State of Maharashtra and Others) and the decision in Writ Petition No. 7170/2020, as referred in the aforesaid order dated 29.9.2014, has passed the impugned order.

3. Facts remain that before the service of the petitioner was confirmed, admittedly, she was working with respondent on monthly basis.

4. Apart from above, the respondent has already submitted a proposal for condoning the period of seven months for qualifying service so as to admit the case of the petitioner to the pensionary benefits is also required to be taken note of. That being so, no case for interference in the writ jurisdiction is made out. Petition stands dismissed accordingly.

(ABHAY J. MANTRI, J.) (NITIN W. SAMBRE, J.)