



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

WRIT PETITION NO. 3052 OF 2016

(Nagpur University Teachers Association, Nagpur and others ..vs.. The Union of India and others)
WITH

WRIT PETITION NO. 2284 OF 2019

(Shri Laxmikant Pandurang Gawande..vs.. The State of Maharashtra and another)
WITH

WRIT PETITION NO. 2021 OF 2012

(Shri Narayan Wamanrao Chawande and others..vs..The Govt. of Maharashtra and others)
WITH

WRIT PETITION NO. 4062 OF 2012

(Ramesh Madhav Acharaya and others ..vs.. The State of Maharashtra and others)
WITH

WRIT PETITION NO. 3991 OF 2013

(Shri Shankarlal K. Kothari and others ..vs.. The State of Maharashtra and others)
WITH

WRIT PETITION NO. 3986 OF 2013

(Vishwanath Trimbak Hajare and others ..vs.. The State of Maharashtra and others)
WITH

WRIT PETITION NO. 5644 OF 2018

(Shri Ramesh L. Vaidya and others..vs.. The State of Maharashtra and another)
WITH

WRIT PETITION NO. 5283 OF 2011

(Dr. Nilkanth s/o M. Nimdeokar and others ..vs.. The State of Maharashtra and another)

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

Court's or Judge's orders

WP 3052/2016:

Mr. F.T. Mirza with Mr. A.I. Sheikh, Counsel for the petitioners,
Ms. Mugdha Chandurkar, counsel for respondent No. 1.
Ms. T.H. Khan, AGP for respondents 2 to 5,

WP 2284/2019:

Mr. A.I. Sheikh, Counsel for the petitioner,
Ms. T.H. Khan, AGP for respondents 1 and 2.

WP 2021/2012:

Mr. M.M. Agnihotri, Counsel for the petitioners,
Mr. T.H. Khan, AGP for respondents 1 to 3,

WP 4062/2012:

Mr. M.M. Agnihotri, Counsel for the petitioners,
Ms. T.H. Khan, AGP for respondents 1 to 3.

WP 3991, 3986/2013:

Mr. J.B. Gandhi, Counsel for the petitioners,
Ms. T.H. Khan, AGP for respondents 1 to 3.

WP 5644/2018:

Mr. A.I. Sheikh, Counsel for the petitioners,
Ms. T.H. Khan, AGP for respondents 1 to 3.

WP 5283/2011:

Mr. M.M. Agnihotri, Counsel for the petitioners,

MS. T.H. Khan, AGP for respondents 1 to 3,

Mr. S.K. Mishra, Counsel for respondent 4.

Mr. R.L. Khapre, Senior Counsel assisted by Mr. A.S. Shukla, Counsel for respondents in W.P. Nos.3052/2016, 2284/2019, 2021/2012, 4062/2012, 3991/2013, 3986/2013, 5644/2018 and 5283/2011.

CORAM : NITIN W. Sambre &
ABHAY J. MANTRI, JJ.

DATED : 22-04-2024

We have heard learned counsel for the respective parties.

2. Learned AGP Ms. T.H. Khan has tried to prevail for an adjournment as it is claimed that the Finance Department has already approved the proposal to file Special Leave Petition against the judgment and order dated 2.2.2024 in Writ Petition No. 5042/2016 at Aurangabad Bench in the Matter of Association of College and University Superannuated Teachers, (Maharashtra) Vs. Union of India and Others.

3. The fact remains that the issue raised in the present petition is not disputed to be covered by the aforesaid judgment dated 2.2.2024.

4. As such, it cannot be said that present petition can be kept pending as has been prayed by learned AGP just because respondent/State has taken a decision to approach the Hon'ble Supreme Court questioning the aforesaid decision.

5. In view of the fact that the issue raised in the present petition is squarely covered by the aforesaid judgment in Writ Petition No. 5042/2016 at Auranabad Bench, we deem it appropriate to allow the petition in terms of the very same order.

6. The petition stands allowed in terms of aforesaid observations.

7. Civil Application/s, if any, stands disposed of.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Belkhede