



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

Civil Application (CAW)No.968/2021 & WRIT PETITION NO.1603/2020

Rajendra Vishwanath Moon Vs. The State of Maharashtra & others

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

Court's or Judge's orders

Dr. B.G.Kulkarni, Advocate for petitioner.
Ms. Deepali Sapkal, AGP for the respondent nos.1 to 3.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.
DATED : 08/01/2024.

1. Heard.
2. Leave to amend the prayer clause so as to correct the year from "2099" to "1999" is allowed. Amendment to be carried out forthwith.
2. The case of the petitioner is that from 22nd July, 1999 to 30th June, 2007 he was working as part time Junior College Lecturer and his services were completed that of full time Junior College Lecturer subsequent thereto.
3. He would claim that half of the aforesaid service period of 8 years and 10 days is required to be considered as full time employment for the purpose of calculation of retiral benefits and the same is considered to be extended financial benefits to the petitioner. Dr. Kulkarni, Counsel for the petitioner would invite our attention to the judgment dated 17th February, 2020 delivered in Writ Petition No. 8656 of 2018 (*Surekha wd/o Vinayak Kathardekar (Ratriade) Vs. Joint Director Higher Education and others*). As such, he claims that the issue is squarely covered by the aforesaid judgment.
4. He would also invite our attention to the Civil Application (CAW) No.968/2021 wherein he would claim that similarly placed persons are also granted benefits based on the judgments and administrative instructions to the respondent-authorities.

4. In view thereof, issue notice to the respondents returnable on 20th February, 2024.
5. Ms. Deepali Sapkal, learned AGP waives notice for respondent nos.1 to 3.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Ambulkar