



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 6105 OF 2022

(Asha w/o Gajanan Nagdawane vs. Municipal Council, Gondia and others)

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

Court's or Judge's order

Mr. V.S.Mishra, Advocate for the petitioner.
Mr. M.I.Dhatrak, Advocate for respondent No.2

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

DATE : JANUARY 25, 2024

It is not in dispute that petitioner is already superannuated from the employment of respondent Municipal Council.

2) The petitioner is held to be not entitled for terminal benefits as her entry in the service book was on daily wages and for the post regularization there was enough length of service was not available for conferring the said benefits.

3) The entitlement of the petitioner to pensionary benefits in spite of she being daily wages is considered and determined in ***Writ Petition No.3388 of 2020 (Bhaurao Maroti Pendare vs. Municipal Council, Warora)*** decided on 08/02/2022.

4) That being so, we deem it appropriate to allow the present writ petition for the reasons recorded in the Judgment dated 08/02/2022 delivered in Writ Petition No.3388 of 2020.

5) As such, we deem it appropriate to direct the respondent Municipal Council to pay the pension to the petitioner in accordance with Rule 57 of the Maharashtra Civil Services

(Pension) Rules 1982 along with arrears preferably within a period of six months from today.

6) The services rendered by the petitioner on daily wages from 31/12/1992 till 27/08/2019 be taken into consideration in accordance with Rule 57 of the aforesaid Rules.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)