



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

WRIT PETITION NO.1810 OF 2024

GOPAL RAMESHWAR ATAL AND OTEHRS

VS

STATE OF MAHA. THR. SEC. AGRICULTURE, ANIMAL HUSBANDRY DAIRY DEV. AND
FISHERY DEPT. MUMBAI AND ORS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Anand Parchure, Advocate for the Petitioner/s
Shri A.M. Ghogre, AGP for the Respondent/State
Shri Abhay Sambre, Advocate for the respondent No.2
Shri Shahu Chikle, Adv. h/f Shri P.A. Kadu, Adv. for the respondent
No.3

CORAM : ANIL S. KILOR AND SMT.M.S. JAWALKAR, JJ.

DATE : 28.03.2024

1. Heard.
2. The learned counsel for the petitioners makes a statement that in an arbitrary and capricious manner the age of superannuation has been reduced from 62 to 60 by issuing the Government Resolution (GR) dated 20.02.2024.
3. It is submitted that the petitioner No.1 and 2 are going to be superannuated on 31.03.2024. He therefore, prays for permitting the petitioner Nos.1 and 2 to continue to serve on their original post till the decision of this writ petition.
4. The learned counsel for the petitioners, upon instructions, further submits that the petitioner Nos.1 and 2 are ready to give an undertaking in writing that, they will not claim any monetary benefits, including salary or any other benefits, till the decision of

this petition and claim relating to all such benefits would be the subject to the result of this petition.

5. The learned AGP for the State and learned counsel for the respondent Nos.2 and 3 strongly oppose the said request.

6. However, considering the fact that the petitioner Nos.1 and 2 will not claim salary or any other monetary benefits for the period from 01.04.2024 till the decision of this writ petition, we are of the opinion that no prejudice would be caused to any of the respondents, if the petitioner Nos.1 and 2 are continued to serve as the “Assistant Professor” on their original posts.

7. In that view of the matter, by way of the interim direction, the respondents are directed to allow the petitioner Nos.1 and 2 to work on their original posts, until further orders, subject to filling of the undertaking by 03.04.2024, in the above referred terms.

8. Place this petition on **25.04.2024** for final disposal.

9. An authenticated copy of this order be given to the learned counsel for the parties.

[SMT. M.S. JAWALKAR, J.]

[ANIL S. KILOR, J.]