



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2668 OF 2014

Sunil s/o Tukaram Ware,
Age 27 years, Occ. Teacher,
R/o Shikshan Colony, Dhadgaon,
Tq. Dhadgaon, Dist. Nandurbar

... PETITIONER

VERSUS

- 1) The State of Maharashtra
Through its Secretary,
Department of Finance,
Mantralaya, Mumbai – 32
- 2) The Secretary, Department of
School Education & Sports,
Mantralaya, Mumbai – 32

(Copy to be served on Govt. Pleader,
High Court of Bombay,
Bench at Aurangabad)

- 3) The Chief Executive Officer,
Zilla Parishad, Nandurbar,
Z.P. Office, Nandurbar,
Tq. & Dist. Nandurbar
- 4) District Education Officer (Primary),
Zilla Parishad, Nandurbar,
Tq. & Dist. Nandurbar

... RESPONDENTS

.....
Mr. Anand V. Patil (Indrale), Advocate holding for
Mr. N.P. Bangar, Advocate for Petitioner
Mr. A.B. Girase, Govt. Pleader for Respondents No.1 & 2
.....

CORAM: ALOK ARADHE, CJ. &
RAVINDRA V. GHUGE, J.

DATE: 18th MARCH, 2025.

ORAL JUDGMENT (PER : CHIEF JUSTICE) :

1. Rule. Rule is made returnable forthwith. By consent of the learned Counsel for the parties, the Writ Petition is heard finally.

2. In this petition, the Petitioner who was appointed as an Assistant Teacher under the establishment of Zilla Parishad, Nandurbar, *inter-alia*, seeks a direction to make the provisions of the old pension scheme applicable to him.

3. The learned Counsel for the parties jointly submit that, the issue involved in this Writ Petition is no longer *res integra* and has been answered by the Division Bench of this Court in case of **Khillari Rajendra Eknath & ors. Vs. The State of Maharashtra & Ors.** (Civil Writ Petition No.2270/2021, decided on 28th April 2023).

4. In view of the law laid down by Division Bench of this Court in the case of Rajendra Khillari (*supra*), the State

Government has issued Government Resolution dated 2/2/2024. In view of the aforesaid Government Resolution, the Petitioner is entitled to the benefit of the old pension scheme. The Respondents are directed to accord him the benefit of the old pension scheme within a period of two months from today. Accordingly the petition is disposed off. Rule is made absolute in above terms.

(RAVINDRA V. GHUGE, J.)

(CHIEF JUSTICE)

FMPathan/-