



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8930 OF 2023

Shivaji Krishna Survase

Age : 59 years, Occu. Pensioner,
R/o. Room No. 4, Sai Row House,
Tormalmala, Tapovan Road,
Ahmednagar.

....Petitioner

Versus

1. The State of Maharashtra
Through its Chief Secretary,
Urban Development Department,
Mantralaya, Mumbai.

2. The Commissioner,
Ahmednagar Municipal Corporation,
Ahmednagar.

....Respondents.

Mr. S.S. Jadhavar, Advocate for the petitioner.

Mr. B.B. Bhise, AGP for respondent No. 1/State.

Mr. K.N. Lokhande, Advocate for respondent No. 2.

CORAM : ALOK ARADHE, C.J. AND
ARUN R. PEDNEKER, J.

Dated : March 21, 2025

ORDER :- (Per Arun R. Pedneker, J.)

1) By way of this petition, the petitioner seeks direction to respondent No. 2 to sanction and release the benefits of commutation of pension in favour of the petitioner as per the provisions of the Maharashtra Civil Services (Commutation of Pension) Rules, 1984.

2) The learned counsel for the parties jointly submit that in the similar facts situation, this Court by order dated 21st January 2020 in Writ Petition No. 2764/2019 has directed the respondents therein not

to withhold the right of the petitioner therein to commute one-third pension and the said benefit of communication of pension shall be accorded to the petitioner therein expeditiously and preferably within a period of six (06) months from the date of the order. The learned counsel for the parties jointly submit that the above order passed in Writ Petition No. 2764/2019 would apply to the facts of the present case.

3) Considering the above submissions of the parties, we are of the opinion that the petition can be disposed of in terms of order dated 21st January, 2020 in Writ Petition No. 2764/2019. Hence, following order :-

O R D E R

1. If there is no impediment, then the respondent No. 2 shall not withhold the right of the petitioner to commute one-third pension. The said benefit of commutation of pension shall be accorded to the petitioner expeditiously and preferably within a period of six (06) months from today.
2. The writ petition is accordingly disposed of. No costs.

(ARUN R. PEDNEKER, J.)

(CHIEF JUSTICE)

ssc/