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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

11 WRIT PETITION NO. 11763 OF 2021

TRILOK SHANKARLAL ADEKAR

VERSUS

1. THE STATE OF MAHARASHTRA, THR. ITS SECRETARY,
GENERAL ADMINISTRATION DEPARTMENT, MUMBAI

2. THE SCHEDULED TRIBE SCRUTINY COMMITTEE,
AURANGABAD

3. THE CHIEF EXECUTIVE OFFICER, ZILLA PARISHAD, JALNA

4. THE EDUCATION OFFICER (PRIMARY), ZILLA PARISHAD,
JALNA

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Mr P. V. Jadhavar, Advocate for petitioner

Mr S. R. Wakale, A.G.P. for respondent Nos.1 & 2

Mr V. P. Narwade, Advocate for respondent Nos.3 & 4

CORAM : MANGESH S. PATIL

AND

PRAFULLA S. KHUBALKAR, JJ.

DATE : 13th February, 2025

PER COURT:

1. We have heard both the sides.

2. The petitioner was appointed against a reserved post. His proposal was forwarded for validation of his tribe certificate. While it is still to be decided, he stands superannuated and he is now claiming pension and pensionary benefits. The fact that he was appointed from reserved category and the proposal remained pending on the date he is superannuated, makes his case squarely covered by the decision of the

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division bench of this Court in the matter of Kamlabai Shaphadu Salve Vs. State of Maharashtra and others (Writ Petition No.4624/2021).

2. For the reason the division bench has assigned/elaborated in the matter of right of such an employee to have all the retiral benefits, the writ petition is allowed. It is declared that the petitioner is entitled to have pension and pensionary benefits which shall be extended to him, as expeditiously as possible and in any case within a period of eight weeks.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

sjk