



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

941 WRIT PETITION NO. 116 OF 2025

1. Shaikh Rais Ahmed Khaja Maheboob
age 47 years, occ. Assistant Teacher,
r/o Muzaffarnagar, Hudco,
Aurangabad.
2. Baig Asad Rahim
age 46 years, occ. Head Master
Aurangabad Public High School
Sharif Colony, Aurangabad
r/o Sanjay Nagar, Baijipura,
Aurangabad.
3. Sayyed Shabbir Rajjak
age 57 years, occ. Assistant Teacher
r/o Babar Colony, Katkat Gate,
Aurangabad.
4. Shaikh Mohseen Bhikan
age 42 years, occ. Assistant Teacher
r/o Rahim Nagar, Altamsh Colony,
Aurangabad.
5. Shaikh Zaker Bashir
age 41 years, occ. Assistant Sr. Clerk,
r/o Babar colony, katkat Gate,
Aurangabad.
6. Syed Naser Mubin
age 51 years, occ. Peon,
r/o Sharif Colony, Near Kiradpura,
Aurangabad.
7. Syed Zaker Syed Ali
age 51 years, occ. Peon,
r/o Sharif Colony, near Kiradpura,
Aurangabad.

8. Shaikh Matin Ahmed
age 38 years, occ. Peon,
r/o Sharif Colony, Kiradpura,
Aurangabad.
9. Shaikh Abdul Wajed Abdul Rashid
age 41 years, occ. Peon,
r/o Kiradpura, Aurangabad.
10. Al-Muabbir Shaikshanik Sanskrutik and
Samaj Seva Sanstha,
Sharif Colony, Roshan Gate,
Aurangabad, Through its Secretary.Petitioners

VERSUS

1. The State of Maharashtra
through its Secretary
School Education and sport Department,
Mantralaya, Mumbai.
2. The State of Maharashtra
Through its Secretary
Ministry of Finance
Mantralaya, Mumbai.
3. The Director of Education,
Secondary and Higher Secondary,
State of Maharashtra, Pune.
4. The Dy. Director of Education
Aurangabad Division, Aurangabad.
5. The Education officer (Secondary)
Secondary, Zilla Parishad,
Aurangabad.Respondents

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Mr. Syed Masood Chand, Advocate for the Petitioner.
Mr. A. B. Girase, GP for the State.

**CORAM : ALOK ARADHE, C.J. &
RAVINDRA V. GHUGE, J.**

DATE : 19th 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 Writ Petition, the Petitioners *inter-alia* seek a direction to the Respondents to continue the benefits of Maharashtra Civil Service (Pension) Rules 1982 and Maharashtra Civil Service (Computation of Pension) Rules 1984 and the existing General Provident Fund Scheme (GPF) to the Petitioner Nos. 1 to 9 and the Respondents be further restrained from interference and applying the new pension scheme i.e. Defined Contribution Pension Scheme.

3. The learned Counsel for the parties jointly submitted that, the issue involved in the instant Petition has been answered by a Full Bench of this Court in the case of **Deshmukh Dilipkumar Bhagwan & others vs. The State of Maharashtra and others (Writ Petition No. 8387/2013)**, decided on 26.08.2019.

4. In view of the aforesaid decision of the Full Bench, the irresistible conclusion is that the old pension scheme is not applicable to the Petitioners. In the result, the Writ Petition fails and the same is hereby dismissed. Rule is discharged.

(RAVINDRA V. GHUGE, J.)

(CHIEF JUSTICE)

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