



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

**REVIEW APPLICATION NO. 18 OF 2025
IN
WRIT PETITION NO. 1223 OF 2021**

Kirankumar Miraji Salve

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Anand V. Indrale Patil, Advocate for the Petitioner.

Shri V. M. Kagane, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : SMT. VIBHA KANKANWADI &
SHAILESH P. BRAHME, JJ.**

DATE : 09TH OCTOBER, 2025.

FINAL ORDER :

. Heard Mr. Anand V. Indrale Patil, learned advocate for the review petitioner and Mr. V. M. Kagane, learned A. G. P. for the Respondent Nos. 1 and 2.

2. The petitioner seeks review of a judgment and order passed on 24.09.2024 in Writ Petition No. 1223 of 2021. Petitioner was working as a lecturer and he claimed benefit of old pension scheme. The petition was dismissed by assigning reasons.

3. A solitary ground pressed into service for entertaining the review petition is that Government Resolution dated 02nd February, 2024 has not been taken into account by the Division

Bench. The said resolution was before Court. Learned counsel Mr. Anand Patil submits that case of the petitioner is squarely covered by the Government Resolution, which is overlooked and its a mistake apparent on the face of record.

4. We have carefully considered the Government Resolution. It was placed on record by way of additional affidavit. However, it cannot be countenanced that it is overlooked because in paragraph No. 13 of the judgment, self same Government Resolution has been referred to and recorded to be not applicable to the present case.

5. The petitioner was appointed in pursuance of advertisement dated 27.05.2005. He was issued order on 17.08.2005 appointing him as a lecturer with effect from 18.08.2005. The process of recruitment commenced prior to 01.11.2005 and culminated by his appointment before 01.11.2005. It is not a case that recruitment process commenced prior to the 01.11.2005 and appointment order is issued after the said date. The government resolution can be said to be applicable to those employees who are appointed after 01.11.2005 but the process for recruitment commenced prior to the said date. We find no substance in the submissions of the learned counsel for the petitioner that there is a mistake apparent on the face of record.

6. It is also canvassed by the learned counsel for the

petitioner that petitioner was regularized in pursuance of order passed by Division Bench in Writ Petition No. 8564 of 2010 and, therefore, he should have been given benefit of old pension scheme. We have already considered that he was granted approved with effect from 09.03.2015. He did not challenge the order dated 19.11.2015. Besides that we have already taken a view that the petitioner was not holding requisite qualification, when he was appointed in service. We are of the considered view that all aspects of the matter have been dealt with by reasoned order.

7. We do not find that there is any mistake apparent on the face of record. No case is made out to invoke review jurisdiction. Review application is dismissed.

[SHAILESH P. BRAHME J.] [SMT. VIBHA KANKANWADI J.]

bsb/Oct. 25