

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2119 OF 2019

Bhausahab Janu Kumbhar .. Petitioner
Vs.
State of Maharashtra & Ors. .. Respondents

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Mr. Satyajeet A. Rajeshirke with Mr. Shubham Vasekar, Mr. Rahul B. Vijaymane, Advocates for the Petitioner.

Mr. V. M. Mali, Assistant Government Pleader for the Respondent-State.

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**CORAM : SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ**

DATE : 25TH JULY 2025.

P.C. :

In this writ petition, the following prayers have been made by the petitioner.

- “a) This Hon. Court may be pleased to issue Writ of Mandamus or any other appropriate Writ or direction thereby direct the Respondent no.6 to ascertain Pension of the Petitioner by adding half of the part time service rendered from 15/6/1987 to 31/8/2000 to service of full time from 1/9/2000 to 30/11/2017 and submit modified Pension proposal*
- b) This Hon. Court may be pleased to issue Writ of Mandamus or any other appropriate Writ or direction thereby directs Respondent no.1 to 4 to consider and sanction Pension by considering total service for Pension by adding half of the part Time services with service rendered as Full Time Teacher.*
- c) Such other and further orders as this Honorable Court may deem fit and proper be passed.”*

2. The petitioner who was appointed on 15th June 1987 as a part-time teacher under Shree Sampatrao Mane Mahavidyalay,

Khanapur, Dist. Sangli got the benefit of upgradation to the full-time post after continuous service of about 13 years. He superannuated from service with effect from 30th November 2017 and was granted pension considering his services as a full-time teacher but without adding the period between 15th June 1987 to 31st August 2000.

3. Mr. Satyajeet A. Rajeshirke, the learned counsel for the petitioner refers and relies on a decision of this Court in *Mone Rashmi Shriram Vs. State of Maharashtra & Ors.* 2017 SCC OnLine Bom 729 to submit that the claim of the petitioner for adding the period of service as part-time teacher while calculating his pension cannot be rejected in view of the decision in *Mone Rashmi Shriram (supra)*. Though the stand taken on behalf of the petitioner is disputed by Mr. V. M. Mali, the learned Assistant Government Pleader for the Respondent-State, we are inclined to interfere in this matter to the extent that the proposal for including the services rendered by the petitioner from 15th June 1987 to 31st August 2000 being calculated for grant of pensionary benefits should be forwarded by the respondent no.6-Shree Sampatrao Mane Mahavidyalay within a period of four weeks and the decision thereon shall be taken by the Deputy Director of Education (Secondary and Higher Secondary) Kolhapur within next four weeks.

4. Order accordingly.

5. Writ Petition No.2119 of 2019 is disposed of.

[MANJUSHA DESHPANDE, J.] [SHREE CHANDRASHEKHAR, J.]