

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO.55 OF 2025
IN
WRIT PETITION NO.8853 OF 2024

Popat Shivaji Nikam

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Suresh Pakale, Senior Advocate a/w Mr. Nilesh Desai i/by Ms. Padmaja Malgaonkar, Advocate for the Petitioners.

Mr. M.M. Pable, AGP for Respondent Nos.1 to 3 and 5.

Mr. Rohit Sakhadeo, Advocate for Respondent Nos. 18 and 19.

Mr. Rui Rodrigues a/w Mr. Aniruddha Garge, Advocate for Respondent No.4.

CORAM : RAVINDRA V. GHUGE,

&

ASHWIN D. BHOBE, JJ.

DATE : 8th MAY, 2025

P.C. :-

1. The learned Advocates for the Respondents rightly point out that only one Petitioner has filed this Review Petition with reference to Writ Petition No.8853 of 2024.

2. The learned Senior Advocate submits that all the

remaining 80 Petitioners would be added as Review Petitioners in this Review Petition. Their Court Fees will also be deposited. Office to permit addition and accept the Court Fees, on or before 30.05.2025 (in Vacation).

3. By consent of the parties, the Review Petition is taken up for hearing.

4. We have heard the learned Senior Advocate on behalf of the Review Petitioners as well as the learned AGP and the appearing Advocates. The only reason for filing this Review Petition is that the Petitioners' claim is for pension as per the Old Scheme in relation to their appointments on compassionate basis. Each of these 81 Review Petitioners are compassionate appointees. Hence, though they were appointed after 01.11.2005, the process of selecting them began prior to the said date. This was not the issue before this Court in those Petitions which were decided by judgment dated 27.02.2025. It is, therefore, prayed that Writ Petition No.8853 of 2024, was wrongly included in the list of matters decided by the judgment dated 27.02.2025.

5. The Learned AGPs submit that the issue taken up in Writ Petition No.8853 of 2024 is different than the issue dealt with by this Court vide the said judgment dated 27.02.2025 in Writ Petition No.2345 of 2014 and connected matters.

6. In view of the above, **this Review Petition is disposed off** by recalling the order dated 27.02.2025 insofar as Writ Petition No.8853 of 2024 is concerned. The said Writ Petition is restored at the stage at which it was disposed off. Writ Petition No.8853 of 2024, be listed for hearing on **25.06.2025**.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)