

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10392 OF 2025

Prabhavati Shivaji Gayali.

...Petitioner.

Versus

The State of Maharashtra and Others.

...Respondents.

Mr. Dhananjay Chavan for the Petitioner.

Mr. V. M. Mali, AGP for the Respondent-State.

**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : December 19, 2025.

P. C. :

1. Heard learned Counsel for the Petitioner.
2. Learned Counsel for the Petitioner has placed on record a chart giving details of service of husband of the Petitioner and as also the details regarding the proceedings before Industrial Court. The relevant portion of the said chart reads thus :

Date	Particulars / events / reference.
	Petitioner is wife of deceased Shivaji Maruti Gayali who has worked as a Muster Assistant & thereafter he retired & died. Therefore petitioner is seeking service benefits which includes pensionary benefits etc through her husband.
8-7-21986 to 31-1-1989	Petitioner's deceased husband was working as Muster Assistant in the office of Respondent No.7 & 8.
31-1-1989	Petitioner's husband was orally terminated.

[[This is the **Corrected order** as per speaking to the minutes order dated 24-12-2025.]

1-6-1993	Since the petitioner's husband was orally terminated, therefore he approached Labour Court/Industrial Court through Ref. IDA No. 103/1993.
16-12-1998	The Labour Court by his award dated 16.12.1998 allowed the Ref. & the Hon'ble Court directed to Respondent to continue the service of petitioner's husband with backwages from 31.01.1993 onwards till reinstatement.
8-4-1999	The Respondent No.7 reinstate to the petitioner's husband in service.
31-5-2012	Petitioner's husband i.e. Shivaji Maruti Gayali retired from service from the office of Respondent No. 8.
30-4-2015 and 23-5-2018.	The petitioner's husband submitted application/representation granting pensionary benefits to the Government authorities.
12-10-2018	The Hon'ble Bombay High Court by his order dated passed in Writ Petition No.8908 of 2015 & thereby the Hon'ble High Court directed to respondents to absorb them in Government Service from the date of filling of reference/complaint in Labour Court/Industrial Court. The Hon'ble Court also directed to grant pensionary benefits etc. The order passed by Hon'ble High Court is confirmed by the Hon'ble Supreme Court of India.
30-10-2019	Petitioner's husband Shivaji Maruti Gayali died.

3. Learned AGP opposed the petition by submitting that Government Resolution based on which relief is sought by the Petitioner does not cover the case of Petitioner.

4. We have carefully perused the order dated 30th March 2023 passed by this Court in ***Aba Shankar Jadhav v. The Secretary, Planning Department [Writ Petition No. 13819 of 2017]***. We are more than satisfied that the aforesaid decision squarely covers the Petitioner's case.

[[This is the **Corrected order** as per speaking to the minutes order dated 24-12-2025.]

5. In this view of the matter, the husband of Petitioner shall be considered as permanent from 31st March 1997 and pensionary benefits shall be granted to him considering his service with effect from 31st March 1997, as expeditiously as possible.
6. Writ petition stands disposed of with aforesaid directions.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]