

Digitally signed
by GAYATRI
RAJENDRA
SHIMPI
Date:
2025.11.27
11:08:23 +0530

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

WRIT PETITION NO. 15837 OF 2025

Pramod Pandurang Bhuwad	... Petitioner
Versus	
The State of Maharashtra Thr.	
The Secretary Urban	
Development Dept And Ors.	... Respondents

Mr. Susheel Mahadeshwar i/b Mr. R. Todankar, Advocates for the Petitioner.

Mr. Vishwanath Patil a/w Mr. Akshay Naidu, Advocates for Respondent Nos. 2 & 3 – PMC.

Mrs. Pooja Joshi Deshpande, Advocate for Respondent - State

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 26th NOVEMBER, 2025

P.C. :

1. The only issue before us is as to whether the Class- IV employees working in the Corporation would retire at the age of 60 years or 58 years. The Petitioners rely upon the Judgment delivered by the Hon'ble Supreme Court on 3rd March, 2025 in **Sanjay Sadashiv Bendre & Anr. Vs. The State of Maharashtra and Ors.**¹. The Judgment of this Court dated 2nd May, 2023 delivered in Writ Petition No. 1165 of 2021 was the subject matter of challenge in the said proceedings before the

¹ SLP (C) No. 18756 of 2023

Hon'ble Supreme Court. It is further pointed out that, relying on the Judgment of the Hon'ble Supreme Court in Sanjay Sadashiv Bendre (supra), a Co-ordinate Bench of this Court has delivered interim orders.

2. The learned Advocate for the Corporation submits, on instructions, that the view taken by the Hon'ble Supreme Court in Sanjay Sadashiv Bendre (supra), pertains to the provisions of the Maharashtra Municipal Corporations Act and the Municipal laws. By the said Judgment, all the submissions of the parties and the Pune Municipal Corporation were considered and it was concluded that those Class – IV employees who have been superannuated at the age of 58 years, would stand superannuated at the age of 60 years. If they are yet to reach the age, they shall be reinstated in service. Those who have already crossed the age of 60 years during the litigation, they would be granted notional benefits including re-calculation of pension and retirement benefits. However, salary or other monetary emoluments shall not be actually paid for the said period of being out of service.

3. In view of the above and since the Corporation cannot argue against the view of the Hon'ble Supreme Court in which the Judgment of the High Court has been upheld, **this Petition is allowed.** Since the

Petitioner has still not attained the age of superannuation, which would be 30th November, 2025, we direct the Corporation that he would continue in employment until the age of 60 years, save and except, if there is any other impediment, health-wise or disciplinary action etc. This order is restricted only to the legal aspect of the age of retirement being 60 years.

4. We are informed that there are many Petitions being filed before Court on the same aspect. We, therefore, direct the State of Maharashtra through its Secretary, Urban Development Department, to direct the Municipal Corporations and all other bodies who are covered by the Judgment of the Hon'ble Supreme Court delivered in Sanjay Sadashiv Bendre (supra), to accordingly amend their rules and mention the superannuation age as 60 years for Class-IV employees.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)