

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1083 OF 2024**

Santosh G. GhagPetitioner

Versus

State of Maharashtra and Ors.Respondents

Ms. Sanskruti Yagnik for the Petitioner.

Ms. Jyoti Chavan, Addl. GP a/w. Mr. Manish Upadhye, AGP for the Respondent – State.

Mr. Moin Chowdhari i/b. Mr. Arvind Kothari for Respondent Nos.4 and 5.

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

DATE : 25th SEPTEMBER, 2025

P.C. :-

1. Today, this matter is listed in the Special Pension Category Board.

2. The learned Addl. GP submits that Respondent No.4 has still not forwarded the proposal of the Petitioner for sanctioning the DCPS. The learned Advocate for the Petitioner submits that considering the dates and sequence of events, the Petitioner would be entitled to the Old Pension Scheme in the light of clause 2(ii)(d) of the Government Resolution dated 21st July 1983, issued by the

Education and Employment Department for the purpose of extending the Pension-cum-Gratuity Scheme to the teaching and non-teaching staff of the non-Agricultural Universities and the affiliated non-Government Colleges.

3. In view of the above, we direct Respondent No.4 to forward a proposal, complete in all respects, taking into account the entire service of the Petitioner since the Petitioner was appointed as a Lecturer at SNDT College on 7th July 1994, and then joined Respondent No.4 College on 11th June, 2007.

4. The learned Advocate for Respondent Nos.4 and 5 graciously submits that the proposal, complete in all respects, would be prepared and filed with Respondent No.3 within 60 days from today.

5. On receipt of such proposal, Respondent No.3 would consider the law applicable, inasmuch as the judgments of this Court dated 16th April 2019, delivered in Writ Petition (stamp) No.9011 of 2017, 22nd October 2021, delivered in Writ Petition

No.1812 of 2017, 29th March 2023, delivered in Writ Petition No.5357 of 2022, and 10th April 2023, delivered in Writ Petition (lodging) No.28949 of 2022, while deciding the same on its own merits. Let this exercise be completed within a period of 60 days from today.

6. If the proposal is accepted, the payment of pension shall commence. If the proposal is rejected, the said decision would be supported with reasons for rejection, and the Petitioner, thereafter would be at liberty to assail the same before the appropriate forum. All contentions of the parties are kept open, including the contentions of the State Government set out in their affidavit in reply.

7. With the above directions, **this Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)