



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.8415 OF 2019

Sau. Ujjwala w/o Deepak Dudhane, Amravti Road, Nagpur

-vs-

State of Maharashtra, Thr. Secretary, Dept. of School Education and Sports, Mantralaya, Mumbai
and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri A. C. Dharmadhikari, Advocate for petitioner.

Smt S. S. Jachak, Additional Government Pleader for respondent Nos.1 to 4.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : January 10, 2025

1. The learned Additional Government Pleader on instructions submits that the school in which the petitioner is working since was brought on 100% grant-in-aid on 17/07/2006, the petitioner would be entitled to gratuity however would not be entitled for the pension under the Old Pension Scheme.

2. In this backdrop, since it is brought to our notice by the counsel for the petitioner that the issue of applicability of Old Pension Scheme to the candidates like the petitioner is subjudice before the Apex Court in S.L.P. (Special Leave to Appeal) No.9375/2015 (*Pradip Madhorao Mahalle and ors. vs. State of Maharashtra, Thr. Its Secretary Finance Dept. Mumbai and ors.*), we deem it appropriate to dispose of the petition by recording statement made by the learned Additional Government Pleader.

3. However, we make it clear that in case the decision of the aforesaid S.L.P. goes contrary to the benefit of the petitioner, it shall be open for her to approach afresh. No costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)