



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

WRIT PETITION NO.4720 OF 2025

PRADIP VIDYADHAR BENI

VS

STATE OF MAHARASHTRA, THR. SECRETARY, SCHOOL EDUCATION AND
SPORTS DEPT., MUMBAI AND ORS.

*Office Notes, Office Memoranda of Coram,
Appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. U.J. Deshpande, Advocate for the petitioner/s
Ms T.H. Khan, AGP for the respondent/State
Mr. G.G. Mishra, Advocate for the respondent Nos.4 and 5

CORAM : **ANIL S. KILOR AND RAJNISH R. VYAS, JJ.**

DATE : **17.11.2025**

1. The learned counsel for the petitioner, at the outset, does not want to press prayer clauses (a & b) in view of delay in seeking such prayers. However, an alternate prayer clause (b) is being pressed by placing reliance upon the judgment of the Hon'ble Supreme Court of India in the case of *Union of India and others Vs. Tarsem Singh*, reported in (2008) 8 SCC 648.

2. In that view of the matter, we direct the respondent No.2 to treat the present petition as a representation of the petitioner and consider the prayer clause (b) made in alternative, in light of the above referred Judgment of the Hon'ble Supreme Court of India.

3. Accordingly, we **dispose of** the writ petition with direction to the respondent No.2 to consider the claim of the petitioner as regards pension within eight weeks, from the date of furnishing the copy of the present petition and

this order.

4. While deciding the representation, the respondent No.2 shall take into consideration the above referred judgment of the Hon'ble Supreme Court of India for the purpose of delay in claiming such benefits.

5. The petitioner shall furnish copy of the petition, the documents annexed thereto and the copy of this order within two weeks from today.

6. The respondent No.2, after taking decision on the representation, shall communicate the same to the petitioner within two weeks from the date of such decision.

7. If the respondent No.2 thinks it appropriate and necessary, shall grant hearing to the petitioner before deciding the representation.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)