



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

WRIT PETITION NO. 4969 OF 2025

(Kulkarni Vijay Sharadchandra and ors Vs. The State of Maharashtra and ors)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.C. Dharmadhikari, Advocate for petitioners.
Mr. P.P. Pendke, AGP for respondent Nos. 1 to 5/State.

CORAM : ANIL S. KILOR & RAJNISH R. VYAS, JJ.

DATED : 12-12-2025.

Heard Mr A.C. Dharmadhikari, learned counsel for petitioners
and Mr. P.P. Pendke, learned AGP for respondent /State.

2. In short, the prayer of the petitioner is to declare that the petitioners who have retired between 01.01.2016 to 31.08.2024 are entitled and eligible to get benefit of enhanced Ceiling of gratuity of Rs.20,00,000/- (Rupees Twenty Lacs only) as specified in Government Resolution dated 10.10.2024. Even other consequential reliefs are prayed.

3. Learned counsel Mr. Dharmadhikari, for the petitioners has fairly submitted that this issue is covered by the judgment of the Hon'ble Apex Court in the case of *Association of College and University Superannuated Teachers .v/s. Union of India and others* passed in *Civil Appeal No. 908 of 2013* dated 30.01.2013. He further submits that a communication dated 28.7.2025 has been issued by the Chief Engineer, Public Works Department, Regional Office, Nagpur 563 by which it was stated that the petitioner cannot be extended the benefit of enhanced ceiling of gratuity i.e. Rs. 20,00,000/- (Rupees Twenty Lacs). He submits that aforesaid communication dated 28.7.2025 ignores the law laid down in the aforesaid judgment.

4. Be that as it may, since the issue is already decided by the Hon'ble Apex Court, we direct respondent No.1 to decide each ground raised in the representation in the light of the judgment of the Hon'ble Apex Court mentioned supra. It is further directed that respondent No.1 shall give findings on each ground. The respondent No. 1 shall test the order dated 28.7.2025, passed by the Chief Engineer, PWD, Regional Office, Nagpur, in the light of the aforesaid judgment.

5. The respondent No.1 is further directed to consider the grounds raised in this petition.

6. Needless to mention that if the claim of the petitioners is to be denied then the respondent No.1 will have to give specific findings to that effect.

7. The decision be taken within eight weeks from the production of this order.

8. The decision taken, shall be informed to the petitioners within two weeks thereafter.

9. The writ petition disposed of, accordingly.

10. The learned counsel for the petitioners undertakes to produce copy of this petition alongwith the order passed today, before the respondent No.1 within one week from today.

(RAJNISH R. VYAS, J)

(ANIL S. KILOR, J)