



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

WRIT PETITION NO. 1476 OF 2024

(PROF. CHITTOOR GOPALAKRISHNA RAGHAVAN....VS..STATE OF MAH. FINANCE DEPT. & OTH.)

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

Court's or Judge's orders

Shri A.S.Jaiswal, Sr. Adv. a/b Ms Radhika Bajaj, Advocate for Petitioner.
Ms Kalyani Marpakwar, A G.P. for Respondent.

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

DATED : DECEMBER 05, 2025.

1. In the present matter, the learned counsel for the petitioner has drawn attention of this Court to the 7th Pay Commission recommendations, more particularly Clause 10.1.67, which reads thus :

“10.1.67 The Commission recommends the following pension formulation for civil employees including CAPF personnel, who have retired before 01.01.2016:

i) All the civilian personnel including CAPF who retired prior to 01.01.2016 (expected date of implementation of the Seventh CPC recommendations) shall first be fixed in the Pay Matrix being recommended by this Commission, on the basis of the Pay Band and Grade Pay at which they retired, at the minimum of the corresponding level in the matrix. This amount shall be raised, to arrive at the notional pay of the retiree, by adding the number of increments he/she had earned in that level while in service, at the rate of three percent. Fifty percent of the total amount so arrived at shall be the revised pension.

ii) The second calculation to be carried out is as follows. The pension, as had been fixed at the time of implementation of the VI CPC recommendations, shall be multiplied by 2.57 to arrive at an alternate value for the revised pension.

iii) Pensioners may be given the option of choosing whichever formulation is beneficial to them.”

2. The learned counsel for the petitioner argues that by this Clause classes amongst a class have been created and thereby benefits which are made applicable to the employees retired prior to 01/01/2016 are denied to the employees retired after 01/01/2016.

3. In that view of the matter, time to clarify the position by filing an affidavit is granted to the State Government, which shall be filed by 17/12/2025.

4. Place this matter on **18/12/2025**.

(RAJNISH R. VYAS, J)

(ANIL S.KILOR,J)

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