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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1007 OF 2022

Nagesh Ravan Kadam and Others PETITIONERS

VERSUS

The State of Maharashtra and Others RESPONDENTS

.....

Mr. Arvind G. Ambetkar, Advocate for the Petitioners
Mrs. Saie S. Joshi, AGP for Respondent - State
Mr. A. B. Dhongade, Advocate for Respondent No.4
Mr. S. V. Deshmukh, Advocate for Respondent No.6
Mr. V. P. Deshmukh, Advocate for Respondent No.7
Mr. U. B. Bondar, Advocate for Respondent No.9

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[CORAM : NITIN B. SURYAWANSHI, &
ABASAHEB D. SHINDE, J. J.]

DATE : 5th OCTOBER, 2026

ORDER :

1. Indisputably, the issue raised in this Petition is squarely covered by several decisions of this Court, including decision in Writ Petition No. 11567 of 2024 and also by the Government Resolution dated 1st October, 2024.

2. For the reasons stated in the said decisions and in view of the Government Resolution dated 1st October, 2024, the Writ Petition deserves to be allowed. Hence the following order.

ORDER

A. The Writ petition is allowed, subject to the compliance of the conditions laid down in Government Resolution dated 1st October, 2024, in terms of prayer clauses "B", "C" and "D", which are as follows:

> *B. This Hon'ble Court may be pleased to issue an appropriate Writ thereby holding that, the petitioners are recruited prior to 01.11.2005 and therefore, they are entitled to get the benefits of old pension scheme i.e. The Maharashtra Civil Services (Pension) Rules 1982 and Maharashtra Civil Services (Commutation of Pension) Rules, 1984 and General Provident Fund Scheme (GPF) and for that purpose issue necessary orders;*
>
> *C. This Hon'ble Court be pleased to issue a Writ of mandamus, or any other writ, order or directions in the nature of Mandamus thereby directing the Respondent Authorities to extend the benefits to the Petitioners under the Maharashtra Civil Service (Pension) Rules, 1982 and Maharashtra Civil Services (Commutation of Pension) Rules, 1984 and General Provident Fund Scheme (GPF) and further direct them to make contribution towards the said Pension Scheme and General Provident Fund Scheme;*
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> *D. This Hon'ble Court be pleased to issue, a Writ of Mandamus or any other writ, order or direction in the like nature, thereby directing the Respondent authorities not to enforce and apply the New Pension Scheme i.e. Defined Contribution Pension Scheme / NPS to the Petitioners in any manner and / or by any method."*

[ABASAHEB D. SHINDE]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE

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