IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

122 WRIT PETITION NO. 7848 OF 2026

Manohar Arjunrao Shinde
VERSUS
The State Of Maharashtra Through It's Secretary And Others
...
Advocate for Petitioner : Mr. A.G. Ambetkar
AGP for Respondents: Mr. N.D. Batule / K.B. Jadhavar
...
and
123 WRIT PETITION NO. 7876 OF 2026

Manojkumar Madhukar Chaudhary
VERSUS
The State Of Maharashtra Through It's Secretary And Others
...
Advocate for Petitioner : Mr. A.G. Ambetkar
AGP for Respondents: Mrs. S.S. Joshi
Advocate for Respondents no.6,7 : Mr. A.T. Kanawade
...

CORAM : NITIN B. SURYAWANSHI AND
ABASAHEB D. SHINDE, JJ.

Dated : October 29, 2026

PER COURT :-

1. The learned AGP has placed on record copies of affidavit-in-reply. Same are taken on record.

2. The issue raised in these petitions are squarely covered by the decision of this Court in the case of **Vijay S. Shedage (Dr.) Vs. State of Maharashtra ; 2026 DGLS (Bom.) 2043**.

3. For the reasons stated in the said order, the writ petition is allowed in terms of prayer clauses **'B', 'C', 'D', and 'E',** which read as follows :

> "B) By issuing a Writ of Mandamus or any other writ, order or directions in the like nature, this Hon'ble Court may kindly be pleased to hold and declare that, the petitioner is governed under the Old Pension Scheme i.e. Maharashtra Civil Services (Pension) Rules, 1982 and Maharashtra Civil Services (Commutation of Pension) Rules, 1984 and General Provident Fund, which are applicable to the Assistant Teachers, who are appointed prior to 01/11/2005.
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> C) By issuing a Writ of Mandamus or any other writ, order or directions in the like nature this Hon'ble Court may kindly be pleased to direct the respondents to extend/release the benefits under the old pension scheme to the petitioner and shall not deduct any amount from the salary of the petitioner by applying the Defined Contribution Pension Scheme (DCPS) or National Pension Scheme (NPS).
>
> D) By issuing a Writ of Mandamus or any other writ, order or directions in the like nature this Hon'ble Court may kindly be pleased to direct the respondents to refund the deducted amount of the petitioner with interest by applying the DCPS or NPS by the respondents, within a period of four weeks.
>
> E) By issuing a Writ of Mandamus or any other writ, order or directions in the like nature this Hon'ble Court may kindly be pleased to direct the respondents to allot or continue the General Provident Fund Account (GPF) to the petitioner and thereafter, the Educational Institution to deduct the amount of monthly compensation/installment from the monthly salary of the petitioner and deposit the same in the said GPF account.

(ABASAHEB D. SHINDE, J.) (NITIN B. SURYAWANSHI, J.)

...

aaa/-