IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8256 OF 2026

PUNDLIK NARHARRAO SABLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS
...
Advocate for the Petitioner : Mr. Arvind Gopalrao Ambetkar
AGP for Respondents: Mr. N.D. Batule
...

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

DATE : 08.10.2026

PER COURT:

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

2. For the reasons stated in the said order, the writ petition is allowed in terms of prayer clauses 'B', 'C', 'D', 'E', and 'F', 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 quash and set aside the impugned orders dated 12.05.2026 passed by the respondent No.5 the Sr. Accountant Officer, office of the Account & General (A.G.), Nagpur as Exh.-'D', wherein rejected the claim of the petitioner to release/ extend benefits under old pension scheme.*

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 hold and declare that, the petitioners are 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.

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 consider/count the Part-Time service with Full-Time service of the petitioner for receive benefit under Old Pension Scheme, which is/ was spend by the petitioner with school/ college before and after cutoff date i.e. 31st October, 2005.

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 extend/ release the pensionary benefits under the old pension scheme to the petitioner with interest as per the MCS (Pension) Rules.

F) 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 respondent No.7 and 8 school/ college to forthwith submit the fresh pension papers/ proposal of the petitioner before the respondent No.3 to 6 for granting pensionary benefits under old pension scheme to the petitioner."

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

habeeb/