IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10463 OF 2026

PRAMODKUMAR DIGAMBAR KULKARNI
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Arvind Gopalrao Ambetkar
AGP for Respondents: Mr. S.R. Wakale
...

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 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.

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 consider/count the Part-Time service with Full-Time service of the petitioner for receive pensionary benefit under Old Pension Scheme from his initial date of appointment i.e. 19.08.1994.*

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 extend/ release the pensionary benefits as admissible under the Maharashtra Civil Services (Pension) Rules, 1982 and Maharashtra Civil Services (Commutation of Pension) Rules, 1984 to the petitioner.*

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 refund the deducted amount of the petitioner with interest by applying the DCPS or NPS by the respondents, within a period of four weeks.*

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.6 and 7 to forthwith submit the pension proposal/ papers of the petitioner before the respondent No.3 to 5 for granting pensionary benefits under old pension scheme to the petitioner."*

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

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