

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 WRIT PETITION NO. 183 OF 2026

Janardhan Baburao Kawade

VERSUS

The State Of Maharashtra And Others

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Mr. Salgare G. Salgare - Advocate for the Petitioner

Mr. S. B. Narwade - AGP for State

Mr. S. R. Dheple – Advocate for Respondent Nos. 3 and 4

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CORAM : SMT. VIBHA KANKANWADI

AND

HITEN S. VENEGAVKAR, JJ.

DATED : 09TH FEBRUARY, 2026

PER COURT : -

1. The present petition has been filed seeking directions to Respondent Nos. 3 and 4 to grant and pay the second benefit under the revised ACPS to the Petitioner after completion of 24 years of service, in view of the Government Resolution dated 01.04.2010. The second prayer is to consider the representation submitted by the Petitioner on 29.05.2024, praying for grant of the second benefit under the revised ACPS from 11.04.2007, after completion of 24 years of service, as per the Government Resolution dated 01.04.2010, applicable from 01.10.2006.

2. The facts, which are not in dispute, are that the Petitioner was an employee of the Zilla Parishad, serving on the post of Mistri, Grade-II, from 01.04.1980. He retired on 31.04.2008. When the first ACPS benefit was not granted, the Petitioner and similarly situated persons approached this Court by filing Writ Petition No. 10223 of 2018, wherein the order came to be passed that the Respondents shall, after confirming the date of retirement of the Petitioner and after the

conclusion that the Petitioner had retired between 01.01.2006 to 26.02.2009, shall accord the benefit to the petitioners of Government Resolution dated 27.12.2018. Thereafter, the Petitioner was granted the first benefit, however, the second benefit was not granted. He submitted several representations, the last being dated 29.05.2024. When the same was not decided, he approached this Court. The learned Advocate for the Petitioner submits that the purpose of the Petition would be served if directions are issued to Respondent Nos. 3 and 4 to consider the representation dated 29.05.2024.

3. The learned AGP waives service of notice on behalf of Respondent Nos. 1 and 2, and Mr. Dheple, learned Advocate, waives service of notice for Respondent Nos. 3 and 4.

4. In view of the fact that the representation submitted by the Petitioner is still pending and has not yet been decided, we dispose of the Writ Petition by directing Respondent No. 3 to decide the same within a period of eight (8) weeks from today. If the Petitioner is found eligible, the amount shall be disbursed after undertaking all necessary procedures, within a period of two (2) months thereafter.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE