

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

924 WRIT PETITION NO.5241 OF 2025

Mamta Pandurang Nimje
Alias Mamta Prabhakar Nandanwar ..Petitioner

Versus

The State of Maharashtra
Through Its Principal Secretary and Others ..Respondents

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Shri. Sushant C. Yeramwar, Advocate for the Petitioner
Smt. V. S. Choudhari, AGP for the State.
Ms. Sawari M. Patil h/f. Shri. Milind M. Patil (Beedkar), Advocate for
Respondent No.4

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**CORAM : N. B. SURYAWANSHI AND
VAISHALI PATIL – JADHAV, JJ.**

Dated : APRIL 02, 2026

FINAL ORDER :-

. This Petition is filed seeking following reliefs:

“(A) To grant rule and allow this petition;

(B) To direct the Respondents to forthwith grant and release the regular monthly pension along with arrears and all the pensionary benefits to the Petitioner in view of Government Resolution dated 14.12.2022 as her services have already been placed on supernumerary post by order dated 4.2.2024 (Exhibit-F) in view of Government Resolutions dated 21.12.2019 and 14.12.2022 (Exhibits-D & E) and she is retired by superannuation on 31.7.2024, by issuing appropriate writ, orders, or directions as the case may be;

(C) To direct the Respondents to forthwith grant and release the regular monthly pension along with arrears and all the pensionary benefits to the Petitioner in view of Government Resolution dated 14.12.2022 as her services have already been placed on supernumerary post by order dated 4.2.2024 (Exhibit-F) in view of Government Resolutions dated 21.12.2019 and 14.12.2022 (Exhibits-D & E) and she is retired by superannuation on 31.7.2024

pending hearing and final disposal of the present Writ Petition;

D) To grant ad-interim relief in terms of prayer clause (C);

(E) To grant any other relief to which the Petitioner is entitled for.”

2. The Petitioner was working as ‘Assistant Teacher’ with Respondent No.4 on supernumerary post and retired on attaining the age of superannuation on 31.07.2024. As per the Government Resolution dated 14.12.2022, the Government has decided to give pensionary benefits to the persons working on supernumerary posts. The Petitioner’s pension proposal was forwarded by Respondent No.4 to Respondent No.3 – Education Officer on 15.04.2024. Respondent No.3, by letter dated 25.04.2024, pointed out certain deficiencies in the said proposal. Respondent No.4 after removing the deficiencies and making necessary compliance, forwarded the said proposal to Respondent No.3 on 20.08.2024. However, the same is still not decided. The Petitioner has made representations to Respondent No.3 – Education Officer seeking grant of pensionary benefits. The Head Master of Respondent No.4, by communication dated 11.10.2024, also requested Respondent No.3 – Education Officer to decide the Petitioner’s pension proposal. However, nothing is done by the Education Officer.

3. In view of the above, Respondent No.3 – Education Officer is

directed to decide the pension proposal of the Petitioner in the light of the Government Resolution dated 14.12.2022 within a period of four (4) weeks from the date of receipt of writ of this order, failing which Respondent No.3 shall be liable to face action under the Contempt of Courts Act, 1971.

4. The Writ Petition is, accordingly, disposed of.

(VAISHALI PATIL-JADHAV, J.)

(N. B. SURYAWANSHI, J.)

GGP