

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 155 OF 2026

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Sweta Sunil Vagade

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

ALONG WITH
WRIT PETITION NO. 157 OF 2026

Dewadas S/o Sahebrao Dhok

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....
Mr. Arvind G. Ambetkar a/w Surekha H. Kamble for the Petitioners.
Mr. V.M. Mali, AGP for the Respondent - State.
.....

CORAM : R.G. AVACHAT AND
AJIT B. KADETHANKAR, JJ.

DATE : 21st JANUARY, 2026.

P. C. :

1. Mr. Ambetkar, learned counsel for the petitioners would submit that petitioners' services are governed by the Old Pension Scheme as the petitioners' appointments were prior to 1st November 2005 and in a school, that was fully aided school. Learned counsel for the petitioners would further submit that in the catena of judgments, this Court has held

that the persons in the similar circumstances are covered by the Old Pension Scheme. He would pray to direct the Education Officer to apply the Old Pension Scheme to the petitioners.

2. Mr. Mali, learned AGP would submit that the petitioners have not made any such representation to the competent authority so as to take appropriate decision on such prayer. Learned AGP submits that in such circumstances, the petitioners have directly approached this Hon'ble Court and that directions may not be issued in the absence of any representation by the petitioners.

3. Mr. Ambetkar, learned counsel for the petitioners, therefore, seeks leave to withdraw the petitions with liberty to file appropriate representation to the competent authority.

4. If the representation is so filed within a period of 4 weeks from today, the concerned authority shall take appropriate decision on its own merits within a period of 12 weeks thereafter. The concerned authority shall take into consideration various judgments passed by this court in this respect.

5. The Writ Petitions are disposed of. No costs.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT, J.]