

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4721 OF 2024

Smt. Surekha Tukaram Jagdale

....Petitioner

Versus

The State of Maharashtra & Anr.

....Respondents

Mr. Rahul Kadam a/w Mr. Vedant Babar, for the Petitioner.

Ms. P. N. Diwan, AGP for the State.

Mr. Rahul Nerlekar (through VC) a/w Ms. Amruta Nerlekar, for
Respondent No. 5.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 26th MARCH, 2026

P.C. :-

1. The prayer put forth by the Petitioner is that the Management should forward her proposal for receiving pensionary benefits under the Old Pension Scheme. The State would consider and deal with this proposal. If the State concludes that the Petitioner is eligible for the OPS, the benefits be extended. If the State concludes that the Petitioner is entitled to the DCPS, the Petitioner may consider assailing the said order.

2. The learned Advocate for the Management submits on

instructions that considering the facts of the case, the Court may pass an appropriate order and the Management would abide by the directions.

3. We, therefore, direct as under:-

(a) in the event the Management has already forwarded the proposal and the same is pending, the Authority shall decide the proposal by following the due procedure laid down in law within a period of 60 days from today;

(b) if the proposal has not been forwarded by the Management, the Management shall forward the proposal strictly in accordance with the service conditions applicable to the Petitioner within a period of 30 days to the appropriate authority. Thereafter, the appropriate authority shall decide the said proposal by following the due procedure within 60 days and communicate the decision to the Management as well as to the Petitioner, within 24 hours;

(c) in the event the Management has already tendered the proposal and the same is decided by the authorities, a copy of the order shall be served upon the Petitioner within 10 working days from today, with liberty to the Petitioner to assail the said order by availing of such remedy as is permissible in law, if aggrieved.

4. With the above directions, **this Petition is disposed off.**

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)