

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 874 OF 2025

Swati Rajaram Badak
@ Swati Santosh Devkar & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Suresh Pakale, Senior Advocate a/w Mr. Nilesh Desai i/by Ms. Padmaja Malgaonkar, Advocate for the Petitioners.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. V.G. Badgujar, AGP for the Respondent/State.

Ms. Priyanka Chavan, Advocate for the Respondent/UOI.

CORAM : RAVINDRA V. GHUGE

&

ABHAY J. MANTRI, JJ.

DATE : 3rd FEBRUARY, 2026

P.C. :-

1. This is a motion for speaking to the minutes of the order dated 22nd January, 2026. The learned Senior Advocate representing the Petitioners submits that a sentence needs to be added to Paragraph No.6, so as to indicate that the contribution made by the Petitioners to the Defined Contributory Pension Scheme ('DCPS'), should be transferred to the General Provident Fund ('GPF') along with accrued interest, only on the employees' share. The learned Additional G.P., as well as the learned Advocate for the Zilla Parishad, confirm the said statement.

2. In view of the above, Paragraph No.6 of the order dated 22nd January, 2026, would read as under :-

“In view of the above, we declare that these Petitioners would be covered by the Old Pension Scheme and since they are in employment today, they are not required to contribute to the DCPS. The interest accrued only on the share of the Petitioners towards the DCPS, shall be transferred to their GPF accounts.”

3. The corrected order be uploaded.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)