



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1830 OF 2024

Smt Kamal Wd/o. Prabhakar Gonnade and another

.Vs.

Accountant General and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr P. N. Shede, Advocate for the petitioners
Mr S. M. Ukey, Addl.G.P for respondent Nos. 1 and 2/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : JANUARY 09, 2026.

Heard.

2. The petitioners have approached this Court seeking direction against respondent No.1-Deputy Director of Education Nagpur Division, Nagpur to forthwith grant and process the case of Regular pension of the petitioners and other benefits i.e. provident fund, G.P.F., Gratuity etc in favour of the petitioners w.e.f. 01.02.2022 and 01.07.2022 by calculating the part time services rendered by the petitioners, during the period from 1993 to 2022.

3. The petitioners have made statements on oath in the present writ petition in paragraph Nos. 17 and 18. The same are reproduced below:

“17 It is submitted that the Petitioner No.1 and 2, attained the age of Superannuation, on 31-01-2022 and 30-06-2022, respectively, and as per the Government instructions, it is necessary to send the proposal of the Petitioners, before 6

months, prior to the date of his superannuation and therefore in view of the said provisions, as per the information of the Petitioners, the Respondent No.4- College, sent the proposal of the Petitioners, to the Respondent No.2, Education Department.

18 It is submitted that inspite of submission of the said proposal, when the Respondent No.1, did not process the said proposal and send the same to the Office of Accountant General, and therefore the Petitioners started making representations. It is further submitted that however, inspite of receipt of the said proposal, the Respondent No.1 and 2, have not yet processed and granted the benefit of Regular Pension and amount of G.P.F. in favour of the Petitioners, till the date, without there being any reason or fault on the part of the Petitioner, merely by orally informing the petitioner that their appointment were on Part time post, and therefore the Petitioners are not entitled to get benefit of regular pension under Old Pension Scheme.;"

4. Perusal of the aforesaid paragraphs reveal that respondent No. 4 college had submitted the proposal of the petitioners to the respondent No. 2. However, inspite of receipt of the aforesaid proposal respondent Nos. 1 and 2 have not yet processed and granted benefits of regular pension and amount of GPF in favour of the petitioners till date.

5. Mr Shende, learned counsel for the petitioners also submits that the case of the petitioner is covered by the judgment of this Court in *Writ Petition No. 2467 of 2021 (Mrs Pratibha W/o. Suryakant Kale and others .v/s. State of Maharashtra and others)* dated 03.10.2022.

6. In view of the above, we direct the respondent No.2 to process the proposal of the petitioners submitted by respondent No.4- College within a period of two weeks from the date of receipt of this order.

7. The respondent No.2 is further directed to consider the law as stated by this Court in Writ Petition No. 2467 of 2021 while processing the aforesaid proposal.

8. The petitioner undertakes to furnish the copy of this order to the respondent No.2.

9. The decision taken thereupon shall be communicated to the petitioner within a period of two weeks from the date of decision.

The writ petition stands **disposed of**, in the above terms. No order as to costs.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata