



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

WRIT PETITION NO.45 OF 2026

PRASHANT MADHUKARRAO GAWAI

VS

THE STATE OF MAHARASHTRA, THR. PRIN. SECRETARY, MUMBAI AND ORS

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

Court's or Judge's orders

Mr. K.P. Rodge and Mr. V.S. Wankhade, Advocates for the petitioner/s
Mr. J.Y. Ghurde, AGP for the respondent/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 06.01.2026

1. Heard.
2. By the present petition, the petitioner has approached this Court seeking a declaration that he is entitled to the benefits of the old pension scheme and a further direction to the respondents to close the DCPS account and extend to him the benefits of the old pension scheme.
3. After hearing the learned counsel for the petitioner and upon perusal of the petition, we notice that at page 51, there is a proposal submitted by respondent No.5-Management, which runs respondent No.6-School where the petitioner is serving, addressed to respondent No.4-District Social Welfare Officer, Zilla Parishad, Chandrapur, seeking grant of the aforesaid relief to the petitioner and application of the old pension scheme on the

ground that the advertisement was issued prior to 01.11.2005.

4. The learned counsel for the petitioner makes a statement that the aforesaid proposal which was submitted on 04.03.2025 has not yet been decided by the respondent No.4.

5. In view of the above, we **dispose of** the present petition with direction to the respondent No.4 to decide the proposal dated 04.03.2025 within eight weeks from the date of the receipt of this order.

6. The learned counsel for the petitioner undertakes to furnish copy of this order to the concerned respondent within two weeks from today.

7. The decision taken shall be communicated to the petitioner, so also the respondent Nos.5 and 6, within two weeks from the date of such decision.

8. Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)