

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

WRIT PETITION NO. 3074 OF 2026

Haridas Karbhari Nagare and others

Vs.

The State of Maharashtra and others

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

Court's or Judge's orders

Shri Anand Deshpande, Advocate h/f Shri Balaji Shinde, Advocate for petitioner
Shri H.D. Futane, AGP for respondent/State

**CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.**

DATED : 16.04.2026

Heard.

2. Issue notice to the respondents.
3. Learned Assistant Government Pleader waives notice for respondent Nos. 1 to 3.
4. In view of the order, we are proposing to pass, notice to the remaining respondents is dispensed with.
5. Learned Counsel for the petitioner submits that in identical set of facts Principal Seat of this Court in Writ Petition No. 1240/2026 has passed an order thereby directing respondent No.3 i.e. the Chief Executive Officer

therein to examine the cases of each of the petitioners. He therefore prays for an identical order in the present matter. It is his submission that the prayer clause in the petition as well as the petition before the Principal Seat was identical and therefore there would not be any obstacle in passing the said order.

6. We have considered the contentions advanced by the learned Counsel for the petitioner. The dispute is regarding the commencement of recruitment process. It is the contention of the petitioner that the recruitment process has commenced before the cut off date, i.e., 01.11.2005. He has placed on record a chart showing that the said recruitment process commenced in the month of October 2005. Having considered the contentions canvassed by the learned Counsel for the petitioner and in view of the fact that in identical set of fact Coordinate Bench of this Court vide Writ Petition No. 1240/2026 has passed an order on 06.02.2026, we are of the considered opinion that the present petition can also be disposed of with the said direction.

7. Accordingly, writ petition is disposed of by directing the respondent Nos. 7 to 9 to examine the cases of each of the petitioner in the light of law laid down by the Court after verifying whether the appointment/recruitment process was commenced before 01.11.2005. It is further directed that in case of the Chief Executive Officers coming

to the conclusion that the petitioners are entitled to the old pension scheme, they shall proceed to communicate the same to the petitioner. In case the individual petitioners are not entitled to the benefit of the old pension scheme the said Chief Executive Officer should pass a speaking order and communicate the same to such individual petitioner.

8. With these directions the petition is disposed of.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Jayashree..