

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.805 OF 2010

Ashiya Begum Sk.Faizulla ..PETITIONER

Versus

The State of Maharashtra and others ..Respondent

WITH

WRIT PETITION NO.836 OF 2010

Smt.Anita Anjjaya Reddy ..PETITIONER

VERSUS

The State of Maharashtra and others ..RESPONDENTS

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Mr. B.A.Darak, Advocate for the petitioner.
Mr. P.R.Tandale, Advocate for respondent Nos. 2 to 4
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**CORAM : A.V.NIRGUDE &
V.K.JADHAV, JJ.
DATED : 01.09.2015**

P.C. :-

1. Both these petitions are filed by widows of employees of respondent Nos. 2 to 4. After they retired, they eventually died. The petitions are filed for recovery of family pension. The respondent Nos. 2 to 4

contended that the husbands of the petitioner's were retrenched during their life time, and therefore, they are entitled for family pension etc. Similarly, the petitions were decided earlier by our Court. It was opined that the question of giving pension to the petitioners and similarly petitions of the widows would be decided by the State of Maharashtra as it is the competent authority to do so. The Court refused to deal with issues between the parties, such as one which is referred to above. All the issues were kept open and directions were issued to the State of Maharashtra that they should decide as to whether the petitioners are entitled to family pension. Each case would be decided on its own merits, in accordance with law.

2. In view of above, the we also pass similar orders for disposing these petitions as under:

ORDER

1. Considering the above petitions, we direct respondent Nos. 2 to 4 to process the pension files of the petitioners forthwith and forward the proposal to the State Government for further consideration and final decision. That be done expeditiously and in any case, within two weeks from today. The State Government, after receipt of the proposal from respondent Nos. 2 to 4 shall

pass final orders thereon at the earliest and in any case, not later than eight weeks from the date of receipt of such proposal. The respondents shall file compliance report in the Registry of this Court.

2. All issues are kept open to be decided by the State Government on its own merit in accordance with law. Accordingly, both the petitions are disposed of in above terms. No order as to costs.

3. In view of above, both the petitions stand disposed of.

[V.K.JADHAV, J.]

[A.V. NIRGUDE, J.]