

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 2257 OF 2013

SHASHKIKANT DIGAMBARRAO BADVE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Devakate Anant R.

AGP for Respondents: Mr.K.G.Patil.

Advocate for Respondent Nos.2 and 3 : Mr. P.B.Patil.

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CORAM : **S. V. GANGAPURWALA and
V. L. ACHLIYA, JJ.**

DATE : 24th February, 2015.

PER COURT:

. The learned counsel for the Petitioner submits that the mother of the Petitioner died. Life time pension is sought. The Petitioner has complied with all the formalities. However, the pension is not released.

2 Mr.Patil, learned counsel for Respondent Nos.2 and 3 submits that Respondent Nos.2 and 3 were communicated by Respondent No.4 for submission of Form No.12 and indemnity bond in Form No.29, so also the affidavit of the guardianship of the Petitioner. The Petitioner submitted Form No.12, however, did not submit indemnity bond in Form No.29 and the affidavit of guardianship and insisted that the proposal be forwarded to Respondent No.4. The Respondent No.4 communicated the office of Respondent Nos.2 and 3 to submit non-earning certificate of the Petitioner. However, the Respondent No.4 had directed the office of Respondent Nos.2 and 3 to submit the documents mentioned in the letter dated 28th June, 2013.

3 It appears that Respondent No.4 had demanded some documents i.e. latest medical certificate issued by the Civil Surgeon about the disability as the earlier certificate is of the year 2007 and it is also communicated by Respondent No.4 that as per Rule 116(5)(v) such medical certificates are valid for a period of three years only. It appears that Form No.12 with identification document of guardianship is submitted.

4 It is also for the Petitioner to comply with the said requirements.

5 On compliance of the documents as detailed in the letter dated 28th June, 2013 (Page No.78) by the Petitioner, the Respondent No.4 shall process the said pension papers and pass appropriate orders, expeditiously, preferably within four months from compliance by the Petitioner of the documents as detailed in the letter dated 28th June, 2013.

6 Accordingly, the writ petition is disposed of. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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