

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

WRIT PETITION NO. 7104 OF 2008

GANPAT MAHADU AGEE
(Deceased through L.Rs.)

1 Gangubai w/o Ganpat Aage & Ors.

..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA
AND ORS.

..RESPONDENTS.

...

Advocate for Petitioner : Mr.B A Darak
AGP for Respondents/State: Mr.S.D. Kaldate.
Respondents 2 to 4 served.

...

CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: 16th November, 2015.

PER COURT :-

1. Heard learned Counsel for the petitioners and learned AGP for the respondents No.1 and 5. Learned Counsel for the petitioner has tendered across the Bar copy of the order dated 1st September, 2015 passed by the Division Bench of this Court in case of ***Ashiya Begum Sk. Faizulla Vs. The State of Maharashtra & others in Writ Petition No.805***

of 2010 with Writ Petition No.836 of 2010. He submits that the facts of the present petition are nearer to the facts in the afore mentioned petitions. He submits that the petitioner will be satisfied if similar directions as in aforementioned writ petitions are issued to the respondents in the present petition also.

2. For the same reasons which are assigned in the order dated 1st September, 2015 passed by the Division Bench of this Court in case of **Ashiya Begum Sk. Faizulla Vs. The State of Maharashtra & others in Writ Petition No.805 of 2010 with Writ Petition No.836 of 2010**, we dispose of this petition, with the following order:

ORDER

i) Considering the above petition, we direct respondents No.2 to 4 to process the pension file of the petitioner 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.

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

Iii) Rule made absolute on above terms.

(P.R. BORA, J.)

(S.S. SHINDE, J.)