

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

Writ Petition No. 1444 of 2016

District : Hingoli

Shivaji s/o. Deorao Suryawanshi,
Age : 39 years,
Occupation : Service,
R/o. Dholkayachiwadi,
Taluka : Kalamnuri,
District : Hingoli.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Secretary,
Tribal Development Department,
Mantralaya, Mumbai - 32.
2. The Additional Commissioner,
Tribal Development Department,
Amaravati.
3. The Project Officer,
Integrated Tribal Development
Project,
Kalamnuri,
District : Hingoli.

.. Respondents.

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Mr. V.A. Dhakne, Advocate, for the petitioner.

*Mr. S.B. Pulkundwar, Asst. Government Pleader,
for respondent nos.1 to 3.*

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**CORAM : S.S. SHINDE &
SANGITRAO S. PATIL, JJ.**

DATE : 3RD MAY 2016

PER COURT :

Heard the learned Counsel appearing for the petitioner and the learned Counsel appearing for the respondent.

2. The point raised in this petition is no longer *res integra* and is covered by the order of Division Bench of this Court in Writ Petition No. 4882 of 2015, decided on 9th June 2015. This Court in the case of ***Sonba Rukamaji Bhandarwad Vs. The State of Maharashtra & others***, after referring to the judgment of the Division Bench of this Court in the case of ***Sahebrao Karbhari Gunjal and others Vs. State of Maharashtra and others*** (Writ Petition No. 1491 of 2001, decided on 4.11.2009) has allowed the prayer in the Petition and issued directions to Respondents to consider the claim of the petitioner therein.

3. In that view of the matter, for the same reasons, which are assigned in paras 2 and 3 of the said judgment, we pass the following order.

4. Respondents are directed to consider the claim of the petitioner in the light of the law laid down by the Division Bench of this Court in the Judgment dated 4th November 2009, in the case of ***Sahebrao Karbhari Gunajal and others Vs. The State of Maharashtra and others*** (Writ Petition No. 1491 of

2001), also keeping in view the service record of the petitioner and relevant Government Policy and decide the same as expeditiously as possible and, in any case, within a period of four (04) months from today. It is further made clear that if the petitioner is found to be entitled to receive monetary benefits, the payment shall be made within a period of three months from the date of such decision.

5. The Writ Petition is disposed of in the above terms.

(SANGITRAO S. PATIL)
JUDGE

(S.S. SHINDE)
JUDGE

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