

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 639 OF 2013
WITH CA/3160/2014 IN WP/639/2013

VENKATRAO BABARAO PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Suryakant S. Pawar.
Advocate for Respondent Nos.2 & 3 : Mr. Bhushan B. Kulkarni.
AGP for Respondent Nos.1, 4 & 5 : Mr. A. P. Basarkar.

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CORAM : S. V. GANGAPURWALA &
A. M. BADAR, JJ.

DATE : 28TH JANUARY, 2016.

PER COURT:

1] Mr. Pawar, learned counsel submits that the committee has rejected the application of the petitioner for grant of Freedom Fighters Pension. The Zilla Gaurav Samiti has recommended the case of the petitioner. However, the Committee on technical grounds has rejected the same. Learned counsel submits that in the present petition, civil application is filed, thereby seeking to bring on record the documents such as, warrant issued in the name of the petitioner with its English translation and affidavit. The learned counsel submits that the said documents were not available when the matter was processed before the Committee.

2] Mr Kulkarni, learned counsel for the respondent-Committee submits that with the available documents on record, the Committee has rightly decided the matter. No flaw can be found in the order of the Committee.

3] In the present case, petitioner has filed some documents which

is an affidavit and copy of warrant. Same was not before the Committee when the committee was deciding the claim of the petitioner.

4] Considering the fact that the documents are old one, we are inclined to grant one more opportunity to the petitioner to place the documents before the committee.

5] In the light of the above, impugned order rejecting the application of the petitioner is quashed and set aside. The matter is remitted before the committee to decide the case of the petitioner for grant of freedom fighters pension afresh. Petitioner may produce the additional documents on record. Now, it is for the committee to satisfy itself about the authenticity and genuineness of the documents produced before it by the petitioner. Same shall be decided expeditiously.

6] Writ petition is disposed of with the above directions. Civil application for production of documents is allowed and disposed of accordingly.

[A.M. BADAR]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

grt/-