

hvn

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8457 OF 2013

Shri Dunage Shivanand Sidagonda ... Petitioner

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Rajaram Deshmukh for the petitioner.

Mr. Vikas Mali, AGP for respondent nos. 1 and 2.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : AUGUST 25, 2016.**

P.C.

Heard learned counsel for the petitioner as also the learned AGP for respondent nos. 1 and 2.

2. Today when the matter came up for hearing, the only prayer made by the petitioner is to dispose of this petition by giving an opportunity to the petitioner to submit a representation before respondent no. 4 stating therein that the petitioner's case is covered by the order dated 5.5.2016 passed by the Division Bench of this Court in **WP No. 6437 of 2007 in the case of Govinda Narayan Gunajal Vs. State of Maharashtra and Ors.** as also in the light of the decision of the Supreme Court in the case of

State of Maharashtra Vs. Tukaram Trimbak Chaudhari & Ors. Reported in 2007 AIR SCW 1321.

3. In view of the aforesaid limited prayer, without commenting upon the merits of the matter and petitioner's entitlement, we dispose of this petition with liberty to the petitioner to submit a detailed representation with supporting documents before respondent no. 4. On receipt of such representation, respondent no. 4 shall examine the petitioner's claim and in case the petitioner is similarly situated with the aforesaid matters (Govinda Narayan Gunajal Vs. State of Maharashtra & State of Maharashtra Versus Tukaram Trimbak Chaudhari), the petitioner shall be extended the necessary benefits. Let the decision as aforesaid be taken within three months from the date of receipt of such representation.

Writ Petition stand disposed of accordingly.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)