

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY**

BENCH AT AURANGABAD.

WRIT PETITION NO.2878 OF 2016

Ku.Poonam d/o Apparao
Gaikwad. ... Petitioner.

Versus

The Union of India
and others. ... Respondents.

...

Mr.D.B.Pawar-Pathrekar, advocate for the
petitioner.
Mr.Bhushan Kulkarni, Standing Counsel for
Respondent Nos.1 to 3.

...

**CORAM : S.V.GANGAPURWALA AND
S.M.GAVHANE, JJ.**

Date : 08.11.2017.

PER COURT :

1. Mr.Pawar, learned counsel submits that the petitioner is the daughter of deceased Apparao Gaikwad. Deceased was discharged from army on 31.10.2000. He was granted individual pension. Said Apparao, father of petitioner expired. The petitioner does not have any

concern with Respondent No.5 nor Respondent No.5 was in any way related with deceased Apparao. The petitioner has filed Civil Suit for declaration and the said Civil suit is decreed on 29.1.2010, still, the Respondent No.5 is receiving 50% pension.

2. Mr.Bhushan Kulkarni, learned Standing counsel appears for Respondent Nos.1 to 3. None appears for Respondent No.5.

3. Mr.Pawar, learned counsel submits that petitioner has already given representation to the authorities to the effect that Respondent No.5 is not entitled to receive any pension and the petitioner is entitled to receive entire amount of pension (page 37), however, no decision is taken on it.

4. The Respondent authorities shall take decision upon the representation of the petitioner (page 37) expeditiously on its own merits after considering all the documents. The petitioner is entitled to file additional

documents before the authorities. The authorities shall decide it expeditiously on its own merits, preferably within four (4) months.

5. The Writ Petition is disposed of. No costs.

(S.M.GAVHANE, J.)

(S.V.GANGAPURWALA, J.)

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