

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

WRIT PETITION NO. 11678 OF 2016

Talib s/o. Ajanbin Shaikh (Alkaseri) .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr.B.V. Thombre, Advocate for the petitioner.

Mr.K.D. Munde, AGP for respondent/State.

Mr.C.D. Biradar, Advocate for respondent Nos.5 to 8.

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

DATED : 15.11.2017

P.C. :-

1. Mr.Thombre, learned Advocate submits that real brother and sister of the petitioner, namely, Galib s/o. Ajanbin Shaikh and Salma d/o. Ajanbin Shaikh are handicapped. The sister i.e. Salma is suffering from schizophrenia and the brother i.e. Shaikh Galib has 57% disability. They are entitled to family pension. They are unable to pursue their claim. They are entitled for family pension on account of father having served on the establishment of Veterinary Dispensary, Loni and retired on 30.06.2011.

2. Learned Counsel for the respondent accepts that in-case of disability, they would be entitled for family pension. Considering the above, we pass following order :-

3. The petitioner may attend the concerned authority of the Government Medical College and Hospital, Aurangabad along with brother Galib s/o. Ajanbin Shaikh (Alkaseri) and sister Salma d/o. Ajanbin Shaikh (Alkaseri). The concerned Doctor of the Government Medical College and Hospital, Aurangabad shall conduct check-up and verification of Galib s/o. Ajanbin Shaikh and Salma d/o. Ananbin Shaikh. Depending upon the certificate that would be issued, further steps would be taken with regard to the issuance of legal guardianship certificate in accordance with legal provisions, expeditiously and preferably within four months from the date of issue of certificate by the Government Medical College and Hospital, Aurangabad. The petitioner may produce his brother Galib and sister Salma on 27.11.2017 before the concerned authority of the Government Medical College and Hospital, Aurangabad. After certificate is produced by the petitioner, the respondent shall process the pension papers in accordance with the certificate issued, expeditiously and preferably within a period of

two months from the date of submission of the certificate by the petitioner.

4. The writ petition is accordingly disposed of. No costs.

[S . M . GAVHANE , J .]

[S . V . GANGAPURWALA , J .]