

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

**WRIT PETITION NO.7980 OF 2013**

Yogesh Sukhdeo Singh Pawar

... Petitioner.

Versus

The State of Maharashtra  
and others

... Respondents.

....

Mr. Chandrakant K. Shinde, Advocate for the Petitioner.

Mr. D.S. Jape, A.G.P. for Respondent Nos. 1 and 2.

Mr. Bhushan Kulkarni, Advocate for Respondent No.3.

....

**CORAM : T.V. NALAWADE &  
SUNIL K. KOTWAL, JJ.**

**DATED : 16<sup>th</sup> FEBRUARY, 2018**

**PER COURT:-**

1. The learned counsel for respondent no.3 produced on record a copy of the Government Resolution of the State Government dated 02.06.2016, in which the following policy decision of the Government is notified:

*“Sanction of pension after the death of Freedom Fighter- No pension shall be sanctioned in the name of the freedom fighter after his/her death even if his/her matter was under examination. This also entails that no Life time arrears or dependent pension shall be sanctioned to his/her spouse/daughter after the death of the freedom fighter.”*

2. Admittedly, the petitioner who was claiming the benefit, died during the pendency of the matter. Learned counsel for the petitioner submits that he wants to make amendment to challenge the said Government Resolution. This is not possible as the petition was filed on a particular cause of action and the Government Resolution has given rise to other cause of action which is against all of the similar claimants. There will be a remedy to the claimant-petitioner to agitated the present claim if he wants to challenge the Government Resolution in a separate proceeding. With these observations, the writ petition is disposed of. Pending Civil Application also stands disposed of.

( SUNIL K. KOTWAL )  
JUDGE

( T.V. NALAWADE )  
JUDGE