

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5458 OF 2016

Mr. Jaywant Baburao Shinde and others ..Petitioners
Versus
The State of Maharashtra and others ..Respondents

Mr. B. S. Nayak, Advocate for the Petitioners.
Ms. Kavita N. Solunke, AGP for the Respondent Nos.1 to 3.
Mr. S. W. Pradhan, Advocate for the Respondent No.5.

**CORAM : B. R. GAVAI &
M. S. KARNIK, JJ.
DATE : 20th AUGUST, 2018**

P.C.

1] The Petitioners submit that their claim is similar to the one, which is granted as per Consent Terms dated 8th October 2015 in Writ Petition No.9786 of 2015.

2] It is the contention of the Petitioners that though the Petitioners therein were held to be ineligible, they were granted certain compensation till the issue of their eligibility reached finality. It is submitted that on the similar lines, the Petitioners are also entitled to the similar compensation.

3] Learned counsel for the Respondent No.5 categorically

states that in the present case, in the survey conducted, the present Petitioners are neither found to be eligible nor ineligible. It is therefore submitted that, the case of the present Petitioners is not on the similar lines with those in Writ Petition No.9786 of 2015.

4] We are therefore not inclined to exercise extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. The Petition is therefore rejected.

5] Needless to state that in the event the Petitioners on the basis of the documents in their possession are in a position to base their claim with regard to their eligibility, rejection of the present Petition would not come in their way in asserting their rights. The Petition is therefore disposed of with aforesaid directions.

Balaji
Govindrao
Panchal

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Balaji Govindrao
Panchal
Date: 2018.08.23
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[M. S. KARNIK, J.]

[B. R. GAVAI, J.]