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

**WRIT PETITION NO.10177 OF 2016**

Kantabai Chaburao Jadhav,  
Age: 48 years, Occu: Service,  
R/o. Kukana, Tq. Newasa,  
Dist. Ahmednagar

..PETITIONER

VERSUS

1. The State of Maharashtra,  
Through its Secretary,  
Finance Department, Mantralaya,  
Mumbai-32

2. The Superintendent,  
Salary and Provident Fund  
Department, Dist. Ahmednagar

..RESPONDENTS

Mr H. D. Deshmukh, Advocate for petitioner;  
Mr S. S. Dande, Advocate for respondents

**CORAM : PRASANNA B. VARALE  
AND  
ANIL S. KILOR, JJ.**

**DATE : 28th November, 2019**

**ORAL ORDER:**

Heard Mr Deshmukh, learned Counsel appearing on behalf of  
the petitioner.

2. Learned Counsel for the petitioner invited our attention to the  
prayers (B), (C) and (D) of the petition and submitted that the  
petitioner was appointed on 19<sup>th</sup> December, 2003 i.e. prior to 1<sup>st</sup>  
November, 2005. He then submitted that the issue raised in the

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petition is squarely covered by the judgment and order of the Division Bench at Principal Seat at Bombay, in the matter of **Deshmukh Dilipkumar Bhagwan & ors. Vs. State of Maharashtra & ors.**, reported in **2019 (3) Mh.L.J. 903**. He then submitted that the petitioner would fall in the category of a reply to Question No.3 of para 37 of the said judgment and order. He further submitted that a similarly circumstanced petitioner was before this Court in Writ Petition No.662 of 2017 and by referring to the judgment and order in the matter of Deshmukh Dilipkumar (referred supra), the Division Bench of this Court, on 23<sup>rd</sup> September, 2019 disposed of the said writ petition.

3. Mr Dande, learned Asstt. Govt. Pleader is not disputing the position of law as reflected in the judgment and order of the Division Bench at Principal Seat at Bombay in the matter of Deshmukh Dilipkumar (referred supra).

4. In view of aforesaid facts, the petition needs no fresh decision and the same is disposed of accordingly.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

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