

**Basavraj
G. Patil**

Digitally signed by
Basavraj G. Patil
Date: 2020.10.14
11:42:00 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

WRIT PETITION NO.1196/2020

Dilip Narayan Dhivare

..... Petitioner

Vs.

Malegaon Municipal Corporation & Ors. Respondents

Mr. Amit A. Gharte for the Petitioner

Mr. Prasad Keluskar for Respondent No.1.

Mr. R. S. Pawar, AGP for State

**CORAM: K.K.TATED, &
N.R.BORKAR, JJ**

DATED : OCTOBER 13, 2020

P.C.

1 Heard.

2 Rule.

Rule is made returnable forthwith.

**3 By consent, the matter is taken up for final disposal at
the stage of admission itself.**

**4 By this petition under Article 226 of the Constitution
of India the Petitioner is seeking direction against
Respondent No.1 Malegaon Municipal Corporation to grant
ex-gratia benefits and other benefits to the Petitioner as per
Government Resolution dated 29.09.2018.**

Basavraj G. Patil

5 The learned counsel for the Petitioner submits that his mother Late Smt. Sitabai Narayan Dhivare expired on 22.04.2014 when she was working with Respondent No.1. He submits that as per Government Resolution dated 29.09.2018, the Petitioner, as a legal heir of the deceased, is legally entitled to the said benefits. Therefore, the Petitioner has made an application dated 02.02.2019 to Respondent No.1, which is pending till today. Hence, the Writ Petition.

6 Considering the submissions made by the learned counsel for the Petitioner, application dated 02.02.2019 and Government Resolution dated 29.09.2018 issued by Respondent No.2, the Writ Petition can be disposed of with direction to Respondent No.1 to decide the Petitioner's application as early as possible.

7 Hence, the following order is passed:

a. Respondent No.1 is directed to decide the Petitioner's application dated 02.02.2019 on merits and communicate the order thereon to the Petitioner or his Advocate, immediately thereafter.

b. No order as to costs.

c. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on a digitally signed copy of this order.

(N.R.BORKAR, J)

(K.K.TATED, J.)