

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

911 WRIT PETITION NO.3274 OF 2020

**M A LATIF ABDUL RAHIM
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Petitioner : Party In Person.
AGP for Respondents-State : Smt. M. A. Deshpande.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 30.11.2021

PER COURT :-

1. The petitioner, who is a practicing advocate at Aurangabad as per his address set out in the cause title, prays for benefit of Rs.10,000/- per month pension, in view of the Government Resolution dated 03.07.2018, which was introduced by the State Government to grant such pension to those persons, who had suffered imprisonment by way of detention in between 25.06.1975 to 31.03.1977 during the emergency period. Pursuant to the said Government Resolution, a corrigendum was issued vide notification dated 15.09.2018, directing the applicants to complete the form

annexed as Annexure-A and support the claim with necessary documents. By a subsequent Government Resolution dated 31.07.2020, the said scheme was scrapped.

2. The petitioner submits that he has preferred an application (undated) to the office of the District Collector, Aurangabad, praying for such pension as he was behind bars at Nashik from 26.12.1975 to 26.01.1977. No documents have been attached to the said application, as is the requirement. In Clause-14, the petitioner has declared that he was not a resident of Maharashtra, which is a pre-condition for being eligible to receive such pension. The petitioner submits that the entry in clause-14 is a mistake and he is born and brought up in Aurangabad and was in the Nashik Central Jail for the above period.

3. Considering the above, this petition is disposed off.

4. The petitioner is at liberty to annex all the necessary documents to his pending application, as are mandated by the notification dated 15.09.2018. We make it clear that we have not expressed any view on the merits of the application made by the petitioner. We leave it to the District Collector to

scrutinize the said application and only if it is complete in all respects, he may consider the said application on its own merits strictly as per the policy as may be applicable.

5. We expect the petitioner to supply the relevant documents to the District Collector, on or before 15.01.2022, failing which, the application shall not be entertained and shall stand rejected, on 17.01.2022.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-