

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7282 OF 2020

Shivanand Shivling Antad,
Age : 52 years, Occ. Service
as SDE under respondent MJP,
Presently posted to work under
Rural Water Supply Sub-Division,
Yawal, Dist. Jalgaon

..PETITIONER

VERSUS

Maharashtra Jeevan Pradhikaran,
CIDCO Bhavan, South Block,
Belapur, New Bombay 400 614,
Through its Chief Administrative
Officer

..RESPONDENT

Mr Ajay S. Deshpande, Advocate for the petitioner;
Mr D.P. Bakshi, Advocate for respondent

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

DATE : 5th August, 2021

PER COURT :

1. It is informed that the petitioner has passed away during the pendency of this petition.

2. The learned Advocate for the respondent submits that a purshis dated 8.7.2021 has been tendered along with a copy of the communication addressed by the CAO, dated 4.5.2021 to the Deputy Secretary, Water Supply & Sanitation Department, Mantralaya, Mumbai. We have taken these three pages on record which are marked as "X Collectively" for identification.

3. The purshis indicates that the respondent has moved the appropriate authorities for the cancellation of the impugned order. So also, a proposal for sanction of family pension and other benefits to which the dependents of the deceased would be entitled to, is also moved.

4. The record indicates that the deceased petitioner was appointed on a post that was reserved for the O.B.C. category. He has submitted a validity certificate with regard to his caste falling in the O.B.C. category, to the employer and the same is on record. Even on this count, the impugned order would be unsustainable.

5. Considering the above, this petition is disposed off as, needless to state, the respondent is re-calling it's impugned order. So also, the impugned order would not stand judicial scrutiny.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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