

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9592 OF 2019

Dattatraya Vitthalrao Nimje

...Petitioner

vs.

The Additional Chief Secretary,

Home Department, State of Maharashtra & Ors. ...Respondents

Mr. Prashant Suryawanshi i/b. Mr. G.M. Savagave, for the
Petitioner

Mr. R.P. Kadam, AGP for the Respondents-State.

**CORAM : K.K. TATED &
ABHAY AHUJA, JJ.**

DATE : MARCH 24, 2021

P.C.:

. Heard the learned counsel for the parties.

2. By this Petition under Article 226 of the Constitution of India, the Petitioner is challenging the Government decision dated 22nd November, 2018 issued by the Assistant Secretary, Home Department, Mantralaya, Mumbai holding that the Petitioner is entitle to sum of Rs. 25,000/- by way of compensation instated of Rs. 5 lakh as decided by the Maharashtra State Human Rights Commission, Mumbai by its order dated 5th May, 2018.

3. In the present proceeding, Mr. Manu Kumar Shrivastava,

Additional Chief Secretary(Home), Home Department, Mantralaya, Mumbai filed his affidavit dated 19th March, 2021 stating that now the State of Maharashtra has decided to pay the sum of Rs. 5 lakh by way of compensation to the Petitioner as recommended by the Maharashtra State Human Rights Commission, Mumbai. To that effect the Home Department has issued Government Resolution dated 19th March, 2021 (Exhibit C).

4. The learned A.G.P. Mr. Kadam, appearing on behalf of Respondents-State after taking instruction from the concerned officer who is present in the Court, makes a statement that they will make payment of compensation of Rs. 5 lakh as per Government Resolution dated 19th March, 2021 to the Petitioner within six weeks from today. The statement is accepted.

5. In view of the statement made by the learned A.G.P. and the Government Resolution dated 19th March, 2021 (Exhibit C) following order is passed:

i] The Respondents to pay sum of Rs. 5 lakh to the Petitioner as per Government Resolution dated 19th March, 2021 (Exhibit C) within six weeks from today, failing which they have to pay

interest @ 8% p.a. on Rs. 5 lakh from the date of order passed by the Maharashtra State Human Rights Commission, Mumbai i.e. dated 5th May, 2018.

- ii] Writ Petition stands disposed of with this direction.
- iii] No order as to costs.
- iv] Parties to act on the authenticated copy of the order.

(ABHAY AHUJA, J.)

(K.K. TATED, J.)