

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3982 OF 2022

NATHA HARIBHAU JOJARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Shri Waramaa B.R.
AGP for the Respondents/ State : Shri S.K. Tambe
...

CORAM : RAVINDRA V. GHUGE
&
ANIL L. PANSARE, JJ.

DATE :- 22nd June, 2022

Per Court :-

1. The petitioner has put forth prayer clauses A and B
as under :-

- “A. *By issuing Writ of Mandamus or appropriate writ or directions or orders in the like nature the R-1 and 3 be directed to grant application dt.11.08.1998 seeking freedom fighter pension and other benefits attached as per freedom fighter pension scheme from the date of submission of application.*
- B. *Pending the hearing and final disposal of this petition, the respondents be directed to place status of the application dt.11.08.1998 and as per communication dt.22.07.2014 issued by R-2.”*

2. The learned AGP rightly submits that there has been
a serious controversy in the State of Maharashtra with regard to

the grant of compensation to the freedom fighters. The Honourable Supreme Court appointed the Committee headed by retired Justice Palkar, which led to the unearthing of a fraud indicating hundreds of fake freedom fighters having been granted freedom fighter pension. He also submits that this Court has recently delivered a lengthy judgment dated 03.03.2022 in Writ Petition No.6570/2019 filed by *Damu Punjaji Shejul vs. The State of Maharashtra and others*, concluding, as to who are those freedom fighters who are legally competent to issue recommendatory affidavits by way of certificates to support the claims of freedom fighter pension claimants.

3. In view of the above, this Writ Petition is disposed off with the direction that the respondents would decide the claim of the petitioner, which has been referred in the proposal dated 11.08.1998, if not already decided, on or before 15.10.2022 in the light of the judgment delivered by this Court in the matter of *Damu Punjaji Shejul (supra)*.

4. In the event, the claim of the petitioner dated 16.09.1989, which is a part of the proposal dated 11.08.1998, is not traceable, the respondents shall call upon the petitioner to either submit the copy of his application or tender a fresh

application and in which case, any of the respondents would be at liberty to move a Civil Application to this Court seeking relaxation in the time frame.

kps

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)