



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 WRIT PETITION NO. 3228 OF 2025

ANNA DHONDIBA BINWADE DIED THROUGH LRS SUBHADRABAI
ANNASAHEB BINWADE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. P. D. Bachate
AGP for Respondent-State : Mr. S. V. Hange

...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 10.03.2025

PER COURT :-

1. Heard the learned advocate for the petitioner. The legal representative of the freedom fighter who was getting freedom fighter's pension under the scheme of state government, are aggrieved by stoppage of pensionary benefits pursuant to enquiry conducted by the Divisional Commissioner and his report regarding fraud in obtaining such benefits.

2. It is being pointed out that in similar set of facts, when similar petitions were filed by the petitioners therein, after dismissal the writ petition, they had approached the Supreme Court and based on facts and

circumstances, in purported exercise of the powers under Article 142 of the Constitution of India the challenge was upheld.

3. The division bench of this Court in the matter of ***Ambadas Maruti Wanve*** in writ petition No. 2384 of 2011 with connected writ petitions decided at this bench on 17.11.2014, precisely for the same reason, had dismissed the petitions. Two other matters have also been dismissed subsequently viz. writ petition No. 4043 of 2015 (***Karbhari Shivram Sanap and others vs. State of Maharashtra and others***) on 09.04.2015 and writ petition No. 14816 of 2017 (***Sandipan Kondiba Gholave vs. The State of Maharashtra and others***) on 20.12.2017.

4. The learned advocate for the petitioner submits that since several persons have received the benefit since the Supreme Court has allowed the SLP's in exercise of the powers under Article 142 of the Constitution of India, even the present petition may be dismissed, so that he can approach the Supreme Court.

5. The writ petition is dismissed.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)