



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 103 OF 2020

Mahadevi Sharanbasappa Bedjirge

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....
Mr. D.A. Mane, Advocate for petitioner
Mr. A.A.A. Khan, A.G.P. for respondents
....

CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.
DATE : 11th SEPTEMBER, 2025

PER COURT :

. Heard learned counsel for the petitioner and learned A.G.P.

2. Learned counsel for the petitioner submits that the claim of the husband of the petitioner for Freedom Fighter Pension was not decided earlier and though the same has been recommended by the High Power Committee, the State Government has not granted the pensionary benefits. Learned counsel further submits that there is no doubt that the husband of the petitioner was a Freedom Fighter in Marathwada Mukthisangram.

3. On the other side, learned A.G.P. relied upon the affidavit filed by the respondents and there is no denial of the fact that case of the petitioner needs to be considered.

4. In that view of the matter, though it is pointed out on behalf of the petitioner that during pendency of the writ petition the pensionary benefits have been conferred on the petitioner, however, learned counsel for the petitioner submits that the arrears of the pensionary benefits have not been conferred. He relied on the judgment of the Apex Court in case of ***Government of India Vs. K.V. Swaminathan, (1997) 10 SCC 190*** to contend that the petitioner is entitled for arrears of pensionary benefits from the date of application and not from the date of passing of this order, since the claim of participation of her husband in the Marathwada Mukti Sangram is without any doubt. We, therefore, pass the following order :-

ORDER

- (I) Writ petition stands allowed.
- (II) We direct Respondent No.4 - Collector, Dharashiv (Osmanabad) to pay the arrears of pensionary benefits to the petitioner from the date of application i.e. 08th July, 1989, within a period of three months from the date of this order.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

SSD