



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 WRIT PETITION NO. 10904 OF 2025

Usha Gangayya Gundam

VERSUS

The State Of Maharashtra And Others.

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Advocate for Petitioner : Mrs A.N. Ansari

Addl. GP for Respondents: Mr. S.K. Tambe

Mr. Vinod Patil, advocate for respondent nos.2 to 4

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

Dated : November 04, 2025

PER COURT :-

1. Issue notice to the respondents. Learned AGP waives notice for respondent no.1. Mr. Vinod Patil, learned counsel waives notice for respondent nos.2 to 4. Notice of respondent nos. 5 is made returnable on 28.11.2025.

2. Learned advocate appearing for the petitioner is relying on the decision of Co-ordinate Bench of this Court at Nagpur in Writ Petition No.2904 of 2022 (Hemant Govindrao Langhe Vs. Deputy Director, Health Services, Nagpur and another) decided on 25.8.2023, wherein, this Court has held that pensionary benefits cannot be withheld for caste validity certificate.

3. We are of the prima facie opinion that though this decision was pronounced on 25.8.2023, no note has been taken about the same by Respondent nos.2 to 4, and still it appears that pensionary benefits have been withheld for want

of caste validity certificate. Apart-from the affidavits to be filed by the respondent nos.2 to 4, they should also answer in their affidavit as to why costs should not be saddled on them, which should be apart-from unnecessarily withholding the pensionary benefits since June, 2018. Such affidavits to be filed within a period of two weeks' from today. Copy of the same be given to the other side in advance.

4. Place the matter for further consideration first on board on 28.11.2025.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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