

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION No. 12043 OF 2023

Smt. Tarabai Nyandeo Londhe. ... Petitioner
Versus
The Chief Executive Officer Zilla
Parishad, Solapur & Ors. ... Respondents.

Mr. Gauratna Kale i/b. Mr. Sachin Dhakephalkar, for the Petitioner.
Mr. Rupesh K. Bobade, for Respondent Nos. 1 and 2.
Ms. Dhruti Kapadia, AGP for Respondent/State.

**CORAM : M.S. KARNIK AND
ASHWIN D. BHOBE, JJ.**

DATE : 21st MARCH, 2025

P.C. :

1. Heard the learned Counsel for the Petitioner and the learned Counsel for the Respondent Nos. 1 and 2.

2. Our attention is drawn to the reply affidavit filed on behalf of the Respondent Nos. 1 and 2. Paragraphs- 8 and 9 of the affidavit read thus :

*“8. I say and submits that pending this petition the Respondent No. 1 on 26.04.2024 pleased to pass an order thereby set aside the dismissal order dated 22.02.2002 and further directed to consider the Period from 22.02.2002 to 28.02.2002 as her paid leave period. Hereto annexed and marked as **Exhibit A** is the copy of*

order dated 26.04.2024 passed by Respondent No. 1.

9. I say and submit that the in view of the order dated 26.04.2024 passed by the Respondent No.1 the difficulty is clear and petitioner will now receive her pensionary and ancillary service benefits in due course of time. I state and submits that considering the age of the petitioner the Respondent No. 1 & 2 has already expedited the process to complete the formalities for the payment of pensionary benefits to the petitioner. I state that in view of the above facts and circumstances the present petition becomes infructuous and does not survive.”

3. Apart from what is stated in the affidavit, the learned Counsel for the Respondent Nos.1 and 2 placed on record a copy of the necessary Pension payment order which is taken on record and marked “X” for identification.

4. In this view of the matter, the relief claimed by the Petitioner in this Petition, in our opinion, stands worked out. If there is any dispute about the quantum of pension, it is always open for the Petitioner to make a representation and take recourse to appropriate remedies available. The Petition is disposed of. No costs.

(ASHWIN D. BHOBE, J.)

(M.S. KARNIK, J)