

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

WRIT PETITION NO. 1246 OF 2025

Suryakant Dattatraya Gholap & Ors. ... Petitioners.

Versus

The State of Maharashtra & Ors. ... Respondents.

Mr. Dhananjay Chavan, for the Petitioners.

Mr. P.P. Kakade, Addl. G.P. with Mr. A.K. Naik, AGP for Respondents/State.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 18th FEBRUARY, 2025

P.C. :

1. Leave to delete Petitioner Nos. 1, 2 and 3. Deletion be carried out forthwith.

2. The sole Petitioner is the widow of Dattatraya Gholap. Dattatraya had succeeded before the Labour Court in Reference (IDA) No. 88 of 1992, vide the Judgment and Award dated 13th April, 1999.

3. Reliance is placed upon the following Judgments :

(i) Shri Aba Shankar Jadhav & Ors. v/s. The Secretary,

Planning Department & Ors. (Writ Petition No. 13819 of 2017 a/w connected Interim Applications) dated 30th March, 2023.

(ii) Marutirao Rajaram Phutane & Ors. v/s. State of Maharashtra & Ors. (Writ Petition No. 6691 of 2021) dated 23rd March, 2023.

(iii) Shri Ghavate Laxman Rangnath & Ors. v/s. The State of Maharashtra & Ors. (Writ Petition No. 5365 of 2023) dated 20th April, 2023.

(iv) Shri Bhanudas Damodar Bhoge & Ors. v/s. The Secretary, Planning Dept., Mantralaya & Ors. (Writ Petition No. 4816 of 2019) dated 30th March, 2023.

(v) Amsiddha Bamna Hukkeri v/s. The Secretary, Planning Department, Mantralay, Mumbai & Ors. (Writ Petition No. 16007 of 2022) dated 19th June, 2023.

(vi) Shaikh Miya s/o. Shaikh Chand etc. etc. v/s. State of Maharashtra [Civil Appeal No. 6534 of 2022(arising out of SLP (C) No. 6042/2016)] dated 7th September, 2022.

4. The deceased was reinstated in service on 7th February, 2000 pursuant to the Judgment and Award. He passed away on 23rd February, 2013. Prior to his demise, he has superannuated on 31.8.2009.

5. Considering the above cited orders, the cases of those petitioners have been directed to be considered for pensionary benefits in the light of the G.R. dated 1st December, 1995 and 21st April, 1999.

6. In view of the above, **this Petition is disposed off** with a direction to Respondent No. 2 that if there is no legal impediment, the case of the Petitioner may be considered in the light of the above referred G.R. dated 1/12/1995 and 21st April, 1999. After conducting an appropriate scrutiny of the case of the deceased, if he is held entitled for any benefit, the same may be extended to the Petitioner who is his widow. Let this decision be arrived at within a period of 90 days.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)