

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.20074 OF 2021

Shalini Laxman Chavan ... Petitioner
Vs.
Union of India and others ... Respondents

Mr. Jitendra M. Pathade a/w. Mr. Shrikant Raokar for Petitioner.

Ms. P. H. Kantharia, GP for Respondents-State.

**CORAM : UJJAL BHUYAN &
MADHAV J. JAMDAR, JJ.**

DATE : SEPTEMBER 24, 2021

P.C. :-

Heard Mr. Pathade, learned counsel for the petitioner and Ms. Kantharia, learned GP for the respondents.

2. Petitioner before us is a 90 year old senior citizen and widow of late Laxman Ramchandra Chavan. It is stated that late Laxman Ramchandra Chavan was a freedom fighter who had participated in the Quit India Movement in 1942 in connection with which he had undergone imprisonment in the Byculla jail from 17.04.1944 to 11.10.1944.

3. Late Laxman Ramchandra Chavan expired on 12.03.1965.

4. Though the State of Maharashtra has framed a pension scheme for freedom fighters called *Swatantrata Sainik Sanman Pension Scheme, 1980*, benefit of the said scheme has not been extended to the petitioner.

5. According to learned counsel for the petitioner this is on account of the fact that the old records in the Byculla District Prison containing details of late Laxman Ramchandra Chavan's imprisonment may have been destroyed.

6. Be that as it may, from the available materials on record, there does not appear to be any dispute as to the status of late Laxman Ramchandra Chavan as a freedom fighter and as regards petitioner as the widow of late Laxman Ramchandra Chavan. If that be so then withholding of freedom fighter's pension that too for such a long period is not justified.

7. Ms. Kantharia, learned GP to obtain instructions and apprise the Court in this regard on the next date.

8. Stand over to 30.09.2021.

(MADHAV J. JAMDAR, J.)

(UJJAL BHUYAN, J.)

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