

Court No. - 39

Case :- WRIT - A No. - 16612 of 2023

Petitioner :- Farhat Jahan And Another

Respondent :- High Court Of Judicature At Allahabad And 3 Others

Counsel for Petitioner :- Ashish Jaiswal,Vikas Singh

Counsel for Respondent :- C.S.C.,Ashish Mishra,Bushra Maryam

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Shiv Shanker Prasad,J.

1. Having heard Sri Ashish Jaiswal, learned counsel for the petitioners and Sri Ashish Mishra, learned counsel for the respondents, it transpires, upon the occurrence of death of Mr. Tayyab Ahmad, the petitioners made a claim for payment of terminal dues. For that purpose, petitioner no.1 claims to be the married wife of the deceased. Acting on the same, certain communications also appear to have been issued by the Registrar General of this Court dated 11.11.2022 to the learned District Judge, Saharanpur.

2. While such claim was being processed, Sri Ashish Mishra, learned counsel for the respondents would submit, the rival claim had been set up by Ms. Isha Parveen claiming to be the first wife of the deceased. Here, as to that claim, Sri Jaiswal would submit, the same is a bogus claim inasmuch as divorce had taken place between the deceased and Ms. Parveen in the year 2014.

3. At present, the marital status of the deceased is not ascertained by the High Court on the administrative side. The claim made by the petitioner is under active consideration on the administrative side.

4. Leaving it open to the petitioners to raise such objections to the claim made by Ms. Isha Parveen and further leaving it open to the latter to resist the claim made by the petitioners, present writ petition is **disposed of** with a direction upon respondent

no.1 to deal with the rival claims noted above, as expeditiously as possible, preferably within a period of three months from today.

5. Once the claims have been dealt with on merits, it may remain open to the said respondent to consider the claim for compassionate appointment arising from the death of Mr. Tayyab Ahmad.

Order Date :- 1.11.2023

Abhilash

(Shiv Shanker Prasad, J.) (S. D. Singh, J.)