

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 18954 of 2023

Petitioner :- Smt. Manju And Another

Respondent :- Union Of India And 4 Others

Counsel for Petitioner :- Abrar Ahmad, Sumit Kumar Gupta

Counsel for Respondent :- A.S.G.I.

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Heard learned counsel for the petitioners and learned AGA for the State.

Petitioners are the wife and the daughter, and the prayer made in the writ petition is to command the respondent Railway Authorities not to settle the retiral claims of respondent no.5, who happens to be the husband of the first petitioner.

It appears that matrimonial dispute is pending between the parties and various applications have been filed including under Section 125 Cr.P.C.

In the facts of the case, remedy of the petitioners would be to pursue such proceedings and no mandamus is required to be issued to restrain the employer from settling the retiral dues of its employee.

Leaving it open for the petitioners to pursue their claim before the competent authority, this writ petition is consigned to records.

Order Date :- 7.12.2023

Anil