

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 123 OF 2015
IN
TESTAMENTARY PETITION NO. 1222 OF 1998**

Mrs. Saraswati Vilas Kamble	...Petitioner
<i>Versus</i>	
Chief General Manager	...Resopndent

Mr. A.K. Saxena, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 25th April 2016

PC:-

1. Heard. By an order dated 11th December 2008 it was agreed that the pension dues of the deceased would be shared equally between the original Applicant, the widow of the deceased and the 1st Respondent, Indubai, the mother-in-law of the Applicant, i.e., the mother of the deceased.

2. I am now informed that Indubai has passed away. Her death certificate is annexed at Exhibit "C". The application is that the order of 11th December 2008 now be modified so that the pension is, from the date of death of Indubai, 16th May 2015, paid to the

Applicant, Saraswati, in its entirety. Given that Saraswati is now the only surviving heir, the application must be allowed.

3. The Chamber Summons is made absolute in terms of prayer clause (a) with no order as to costs.

(G. S. PATEL, J.)