

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No. 2589/2015.

Smt. Saraswati Bajirao Thakare

-VERSUS-

State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI &
KUM. I.K. JAIN, JJ.

DATE : JUNE 06, 2016.

Heard Shri S.A. Mohta, learned Counsel
for the petitioner.

2. Petitioner claiming to be widow of Bajirao Thakare has approached this Court with a grievance that superannuation pension being released to Bajirao till his death has been discontinued thereafter. It is her contention that though she made several representations, it is not released to her on the ground that respondents do not have anything with them to support her relationship with Bajirao.

3. After hearing the learned counsel for the

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petitioner, we find that on 03.03.2016, this Court has permitted petitioner to file proceeding for obtaining Succession Certificate. That application is accordingly moved by the petitioner; the trial Court has issued proclamation and matter is proceeding further. It is coming up before that Court on 13.06.2016.

4. Shri Mohta, learned counsel has invited our attention to the reply filed by the respondent no.2, particularly documents filed as Annexure-R2-II, which reveals that deceased Bajirao had two sons. He submits that both the sons have expired. He further states that Bajirao had three daughters and all these details are supplied to the respondents by the petitioner.

5. We need not go into these disputed questions in present jurisdiction. The Court considering the claim for issuance of Succession Certificate can very well look into it in accordance with law. Hence, we expedite the proceedings which are pending before the said Court. If the Succession Certificate is issued, petitioner can produce it before the appropriate authority, including the respondents. The Authority shall thereafter process in accordance

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with law, within next six weeks. The amount due and payable to the petitioner shall be released within next 6 weeks. Acceptance of that amount shall not preclude the petitioner from challenging the correctness or otherwise of the exercise undertaken.

6. With these directions and keeping all rival contentions open, we dispose of the Writ Petition. No costs.

JUDGE

JUDGE

Rgd.