

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY**

BENCH AT AURANGABAD.

WRIT PETITION NO.9441 OF 2016

Gunabai Babusing Rajput ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.S.Shaikh, advocate holding for Mr.S.K.Shaikh,
advocate for the petitioner.
Mr.P.S.Patil, Additional Government Pleader for
the State.
Ms.Sunita Sonawane, advocate holding for Ms.Mansi
Joshi, advocate for Respondent No.2.

...

**CORAM : S.V.GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

Date : 25.09.2017.

PER COURT :

1. Learned counsel for the petitioner states that the husband of the petitioner and Respondent No.2 died in accident while in service. According to the learned counsel, the Joint District Registrar, Ahmednagar,

communicated to the Respondent No.4 to the effect that petitioner and Respondent No.2 are entitled for family pension. So also communicated Respondent No.3 that petitioner and Respondent No.2 are entitled for provident fund to the extent of 50% each. It is further submitted that petitioner and Respondent No.2 submitted required forms for assessing and authorising payment of family pension and death-cum-retirement gratuity. The Joint Registrar, Ahmednagar, issued certificate dated 13.6.1996 sanctioning family pension to the extent of 50% each to petitioner and Respondent No.2. On 12.2.2016, request was made to Respondent Nos.3 and 4 to give family pension to petitioner and Respondent No.2 equally but no heed is paid.

2. Learned Additional Government Pleader states that the petitioner had applied to Respondent No.3 but it is the Respondent No.4, who has to take decision and no representation is made to Respondent No.4.

3. The petitioner and Respondent No.2

shall make representation to the Respondent No.4 with regard to their claim. The Respondent No.4 shall take decision upon representation received by it from petitioner and Respondent No.2 expeditiously, preferably within three (3) months from the date of receipt of the representation. In case Respondent No.4 comes to the conclusion that petitioner and Respondent No.2 are eligible to receive the amount, steps would be taken for disbursement of the same.

4. The Writ Petition is accordingly disposed of. No costs.

(MANGESH S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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