

1. The petition is filed to challenge the decision given in Miscellaneous Civil Appeal No.9 of 2011 by the Ad-hoc District Judge-1, Gangakhed, District Parbhani. This appeal was filed to challenge the order made by Trial Court in Misc. Application No.75/2010, which was filed before Civil Judge, Gangakhed for getting succession certificate.
2. The proceeding was filed for pensionary benefits and other amount, which was payable to the deceased. The Trial Court had allowed the application at Exh.18 and both the parties were directed to maintain *status-quo*. Due to this order, the respondent Urmilabai was not able to get pensionary benefits. Anjanabai has admitted that, Urmilabai is a widow of deceased and thus her relation

with deceased Pandharinath is not in dispute. But relationship of Anjanabai is disputed. The order made by learned Judge of District Court shows that, one suit is filed by Anjanabai bearing RCS No.26/2010. The District Court has observed that, in civil suit, such relief could not have been claimed and it was not proper on the part of Civil Court to prevent the widow of deceased from getting pensionary benefits. By making such observations, the order of *status-quo* made in succession certificate proceeding is vacated by District Court. There will be also the point of jurisdiction. Nobody remained present for petitioner and no interest is shown to prosecute the matter even when the matter was filed in the year 2013.

3. In the result, the proceeding stands dismissed.

(T.V.NALAWADE, J.)

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