

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1759 OF 2000
WITH
NOTICE OF MOTION NO. 184 OF 2011

Smt.Smt.Rangabai Shivram Surwade and anr. .. Petitioners

Vs.

Brihan Mumbai Mahanagar Palika

Head Office and ors.

.. Respondents

None for the the Petitioners.

Mr.H.C. Pimple, for BMC.

CORAM : A.A.SAYED AND
M.S.KARNIK, JJ.

23rd JUNE, 2017

P.C. :

1. The petitioners are the heirs of one Shri Sudam Shivram Surwade who was working in the establishment of respondent No.1 – Corporation as a Sweeper. He expired on 28/09/1993. The petitioners are claiming provident fund, pension, gratuity and other dues of the deceased Sudam Shivram Surwade. It is averred by the petitioners that respondent No.3 claims to be the widow of deceased Sudam Shivram Surwade who was given job by respondent No.1- Corporation. According to the petitioners, they are the only

legal heirs of the deceased who are entitled to the retirement benefit and dues of the deceased Sudam Shivram Surwade. It is the case of the petitioners that they have written to the respondent No.1 – Corporation not to make payment of the retirement dues of the deceased to the respondent No.3, but no response has been received from the respondent No.1– Corporation. The Petition is of the year 2000. None is present on behalf of the petitioners.

2. Considering the facts and circumstances of the case, we deem it appropriate to permit the petitioners to make a representation to Respondent No.1. If such representation is made, the same shall be decided expeditiously.

3. Subject to the above, the Petition is dismissed. Rule is discharged.

4. In view of disposal of the Writ Petition, Notice of Motion No. 184 of 2011 does not survive and to stand disposed of.

(M.S.KARNIK, J.)

(A.A.SAYED, J.)