

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
MISCELLANEOUS PETITION NO. 27 OF 2010**

Sunita S Anjarlekar

...Petitioner

Mr Anil P Bagwe, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 26th March 2018

PC:-

1. One John Peter Concessao was the father of the Petitioner Sunita Anjarlekar and one Vincent Concessao, her brother. The Petitioner, her father and her disabled brother are originally Indian Christians. John Peter Concessao died on 22nd June 2010 in Mangalore in Karnataka. He was survived by Sunita Anjarlekar, the Petitioner; Luiza D'souza, his married daughter who lives in Thane; Edwyn Concessao, a son who lives in Andheri (East); Melwyn Concessao, another son who also lives in Andheri (East); Hycienth Concessao, another son who lives in Dubai; and Vincent Concessao, the disabled son.

2. It is said that the John Peter Concessao died intestate. His wife predeceased him, as did his parents. John Peter was employed

with the Reserve Bank of India (“**RBI**”) and on account of that service on his retirement drew pension and other benefits from the RBI.

3. I find from the record that under cover of a praecipe dated 14th March 2011, the consent Affidavits of Luiza, Edwyn, Melwyn and Hycienth were filed in this Court. All of them have agreed that the RBI pension and other benefits may be paid in the name of the disabled son Vincent. This is the prayer that is sought by his sister Sunita. She does not have an interest adverse to that of Vincent. If the siblings all had equal shares in their father’s pension and other benefits they are seen to have relinquished these interests in favour of their disabled brother, Vincent.

4. The Petition is made absolute in terms of prayer clauses (a), (b), (c) and (d).

5. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)