

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
50 WRIT PETITION NO.5524 OF 2018**

GAYABAI NARAYAN BHARAMBE

..PETITIONER

VERSUS

THE UNION OF INDIA AND OTHERS

..RESPONDENTS

...

Mr. Prashant M. Nagargoje and Mr. Ravindra Pandit,
Advocate for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

Mr. D. G. Nagode, Advocate for Respondent No.1.

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

DATED : 04th JUNE, 2019.

PER COURT:-

1. The claim of the petitioner for family pension has been denied on the ground that in the nomination the name of the wife of the deceased Narayan Bharambe was mentioned as Nilima Narayan Bharambe, whereas the petitioner is Smt. Gayabai wife of Narayan Bharambe.

2. According to the petitioner Nilima name has been wrongly recorded. The same ought to be Gayabai. The petitioner was the only wife of deceased Narayan Bharambe and there was no other person named Nilima Narayan Bharambe.

3. According to respondent no.1 the name of the wife cannot be changed in the record. The learned counsel refers to the letter dated

19.09.2016. He further submits that there are certain deficiencies also. The relevant documents are not submitted by the petitioner.

4. There cannot be any debate that the petitioner is required to submit all the relevant documents, so as to enable the respondents to process the papers for family pension.

5. One of the ground for non-consideration of the claim of the petitioner is that the name mentioned in the record is Nilima Narayan Bharambe and not name of petitioner namely Smt. Gayabai Narayan Bharambe.

6. The petitioner certainly will have to satisfy the authorities that Nilima Narayan Bharambe and Smt. Gayabai Narayan Bharambe is one and the same person. The respondents if are satisfied that the petitioner is the only legally wedded wife of Narayan Bharambe and Nilima Narayan Bharambe and Smt. Gayabai Narayan Bharambe are not different persons, then the proposal for grant of family pension of the petitioner shall be processed on its own merits and shall not be rejected on the ground that the name of wife cannot be changed.

7. It is made clear that the petitioner shall comply with all the documents required for process of family pension. The same shall be processed within period of four months.

8. Writ Petition accordingly disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/June-19