

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12662 OF 2017

Kamal Jaysing More

Petitioner

versus

The State of Maharashtra and others

Respondents

Mr.Dilip Bodake for Petitioner.

Ms.Madhubala Kajale, `B' Panel Counsel for Respondent no.1 State.

Mr.G.S.Hiranandani I/by C.G.Gavnekar for respondent no.2.

Mr.Ravindra S. Pachundkar for Respondent nos.5 and 6.

CORAM : A.A.SAYED AND
PRAKASH D. NAIK, JJ.

DATE : 9th August 2019

PC :

1. The Petition has been filed by the Petitioner, a widow, claiming family pension from the Respondents. The Petitioner was married to one Jaysing More who died on 26th July 2015. There were some matrimonial disputes between the Petitioner and her deceased husband during his life time. While in service, the deceased husband had nominated his son and nephew instead of his wife, for receiving service benefits.

2. Both the nominees i.e. Respondent nos.5 and 6 have filed separate Affidavits dated 27th May 2019 and 9th April 2019 respectively stating that they are not claiming any right over family pension and the family pension may be given to the Petitioner.

3. In view of the Affidavits filed by both the nominees, we allow the Petition and direct the Respondents to disburse the family

pension as well as arrears thereof to the Petitioner in accordance with law within six weeks from today.

4. The Petition is allowed in aforesaid terms.

(PRAKASH D. NAIK, J.)

(A.A.SAYED, J.)

MST