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**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 673 of 2021**

Smt. Sulochana Gondane, W/o Late Haridas Gondane, Aged About 56 years, R/o Ward No.2, Rejeev Nagar, Durg, Tahsil & District Durg, Chhattisgarh.

**---- Petitioner****Versus**

1. State of Chhattisgarh, Through The Secretary, Department of School Education, Mahanadi Mantralaya, Atal Nagar, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur Chhattisgarh.
2. Commissioner, Durg Division, Durg, Chhattisgarh.
3. Collector, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
4. District Education Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
5. Joint Director, Treasury, Accounts & Pension, Durg Chhattisgarh.
6. Block Education Officer, Rajnandgaon, District Rajnandgaon, Chhattisgarh.

**---- Respondent**


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| For Petitioner        | : | Mr. Shaleen Singh Baghel, Advocate. |
| For State/Respondents | : | Ms. Hamida Siddiqui, Dy. A. G.      |

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**Hon'ble Shri Justice P. Sam Koshy, J****Order On Board****18.02.2021**

1. The dispute in the present writ petition is that of non-granting of the pensionary benefits to the petitioner, being wife of the deceased employee.

2. The deceased employee in the instant case is one Haridas Gondane, who retired from the post of Head Master and died on 11.08.2017. Before the death of the deceased employee itself the first wife had died somewhere in the year 2011.
3. It is the contention of the petitioner that she is the second wife of the deceased employee and has a daughter from the said marriage and they are entitled for the pensionary benefits. The Petitioner further submits that the Respondent No.6 has already recommended the case of the petitioner for grant of pensionary benefits. He further submits that till date the petitioner has not obtained any succession certificate however he only wants that the authority may take a decision on the representation that the petitioner has made in accordance with law.
4. The learned State counsel appearing for the Respondents/State submits that subject to the petitioner obtaining proper succession certificate from the Competent Authority, the same shall be processed by the authorities concerned in accordance with law. The State counsel further submits that it appears that the deceased employee has children alive from the first wife, who would also be claimants for the pensionary benefits, if they are entitled for the same.
5. Given the aforesaid facts and circumstances of the case, writ petition at this juncture stands disposed of, directing the petitioner to obtain all the necessary certificates including the succession certificate proving to be a successor or a legal heir of the Late Haridas Gondane, the deceased employee and subject

to the petitioner furnishing the same to the Respondent Authority,  
the same shall be considered and processed, at the earliest.

6. The writ petition is accordingly stands disposed of.

Sd/-  
**(P. Sam Koshy)**  
Judge

Deepti Jha