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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

921 WRIT PETITION NO.4873 OF 2020

**SUREKHA SAHEBRAO SARVADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr S. G. Jadhavar, Advocate for petitioner;
Mr S. R. Yadav-Lonikar, A.G.P. for respondent Nos.1 & 2

**WITH
CIVIL APPLICATION NO.5710/2021
IN WP/4873/2020**

**SUREKHA ALIAS SUMAN SAHEBRAO SARVADE
VERSUS
SUREKHA SAHEBRAO SARVADE & ORS.**

...

Smt. B. B. Gunjal, Advocate for applicant;
Mr S. G. Jadhavar, Advocate for respondent No.1;
Mr S. G. Sangle, Advocate for respondent Nos.2 & 3

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 10th August, 2021

PER COURT:

1. The petitioner Smt. Surekha Sahebrao Sarvade claims to be legally wedded wife of the deceased Sahebrao Sarvade. The applicant, who has preferred Civil Application No.5710/2021, seeking intervention, is Smt. Surekha @ Suman Sahebrao Sarvade. She also claims to be the legally wedded wife of the deceased Sahebrao Sarvade.

(2)

2. The issue before us is, that respondent Nos.3 to 6 have not taken any steps for processing the family pension papers after the demise of Sahebrao Sarvade, who was an employee of the District Animal Husbandry, Zilla Parishad, Osmanabad.

3. The learned Advocate for the petitioner - Surekha and the learned Advocate for the applicant - Surekha @ Suman, both do not dispute that it would be the competent Civil Court which would decide as to who is the legally wedded wife of the deceased Sahebrao. So also, the contention of Surekha @ Suman that the petitioner Surekha had been divorced by Sahebrao, can also be gone into by the same Civil Court.

4. In view of the above, this petition as well as the civil application are disposed off, granting liberty to both these ladies to approach the competent forum for seeking a verdict on the issue noted above.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk