

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

94 WRIT PETITION NO.8990 OF 2022

**ARUNA UDAY SHEVALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR AND
OTHERS**

...
Advocate for Petitioner: Mr. Patil Nileshsingh J
AGP for Respondent/State: Mr. P. K. Lakhotiya
...

**CORAM: RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE: 06th SEPTEMBER, 2022

PER COURT:

1. The Petitioner claims to be the wife of Respondent no. 5 – husband. Both are involved in a marital discord which had led to litigation. The Petitioner submits that Respondent No.5 – husband is in the company of another lady. The said lady also has a child from Respondent No.5.

2. By this Petition, the Petitioner seeks a direction from this Court that she should be nominated in the service records of the husband who is due for superannuation from the Maharashtra State Khadi and Gramodyog Mandal.

3. We would not be dealing with the issue of whether the Petitioner is the first wife or the lady who has children from Respondent No.5, is his first wife. In this backdrop, this Court cannot issue directions to the employer that the name of the Petitioner be nominated in the service record to be entitled for retiral / pensionary benefits.

4. In view of the above, this Petition is disposed off.

5. The Petitioner is at liberty to raise this issue before a competent Court and get a declaration as to who is the legally wedded wife of Respondent No.5.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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