

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

WRIT PETITION NO. 3269 OF 2021

Mandabai Ramdas Jagdale
and others

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Chaoudhary, Advocate for the Petitioners.

Mrs. M. A. Deshpande, Addl.G.P. for Respondent Nos. 1 to 6.

Shri A. A. Nimbalkar, Advocate for the Respondent Nos. 7 to 11.

**CORAM : MANGESH S. PATIL AND
SANDEEP V. MARNE, JJ.**

DATE : 10.08.2022.

FINAL ORDER :

. The petitioners who claim that the petitioner No. 1 is the first wife of the respondent No. 7 is seeking direction for recording her name as nominee in the pension papers of the respondent No. 7.

2. After hearing learned advocate for the petitioners for sometime, it is apparent that there is a serious factual dispute as to if the petitioner No. 1 or the respondent No. 8 is the legally wedded wife of the respondent No. 7. He is very well alive.

3. We cannot go into the disputed questions of facts, which may required an enquiry into all the aspects. When the

respondent No. 7 is very well alive, in our considered view it would not be appropriate for this Court in exercise of writ jurisdiction to indulge into and proclaim anything either way. The writ petition is dismissed. All points are kept open.

[SANDEEP V. MARNE, J.]

[MANGESH S. PATIL, J.]

bsb/Aug. 22