

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

100 WRIT PETITION NO.11486 OF 2022

ANNAPURNABAI MAROTI KAGANE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY AND
OTHERS

Mr.U.B.Bondar, Advocate for the petitioner.
Ms.R.PGaur, AGP for the respondent/State.
Mr.Bipinchandra Patil, Advocate for the Respondent/intervenor.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : DECEMBER 01, 2022

PER COURT :

1. The petitioner claims to be the first wife of the deceased Maruti, having married him in 1967. It was his and the petitioner's first marriage. It is believed that sometime in 1970-1971, he developed relations with Meenakshi. Meenakshi is not arrayed as a respondent in this petition. The learned Advocate submits that he represents Meenakshi and he intends to participate in this proceedings. He has still not filed any civil application for seeking intervention.

2. The issue before us is as regards the grievance of the petitioner that she does not receive any pension amount and the maintenance amount which

he was receiving under the orders of the Court dealing with the litigation pertaining to the marital discord between the petitioner and deceased husband. The learned Advocate submits that the second wife is receiving the pension.

3. We are informed that Misc.Civil Application No.527/2022 seeking heirship certificate, filed by the present petitioner is pending before the competent Court. Meenakshi is said to have caused an appearance in the said matter.

4. In view of the above, this petition is disposed off. We request the learned Court to decide Misc. Civil Application No.527/2022, as expeditiously as possible and preferably on or before 30.01.2023. Needless to state, the learned Court would not issue heirship certificate until it decides as to who is the legally wedded wife.

5. It goes without saying that if pension amount is not being paid to either of the 2 ladies, the same would be payable only after the competent court concludes as to who is the legally wedded wife to be entitled for the heirship certificate.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)