

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.4832 OF 2019

Ramdas S/o Baburao Kanhere, Wanadongri, Nagpur

-vs-

State of Maharashtra, Thr. Its Secretary, Health Dept. Mantralaya, Mumbai and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. R. Ingole, Advocate for petitioner.

Shri D. P. Thakare, Additional Government Pleader for respondent No.1.

Shri A. A. Choube, Advocate for respondent No.2.

Shri H. N. Verma, Advocate for respondent No.3.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : September 29, 2022

P.C.

The petitioner's wife was serving as A.N.M. staff Nurse at the respondent No.2-Institution. She expired on 17/08/2017. Hence the petitioner sought release of pensionary amount as well as the amount of provident fund in the name of the minor daughter. That claim was refused by the respondent No.3 on the ground that the documents submitted did not reveal the identity of the claimant as mentioned in the relevant documents. Hence the present writ petition.

2. In the reply filed on behalf of respondent No.3 it has been stated that if the petitioner submits supporting documents to indicate that Ms Vandana Sadashiv Chakunde and Ms

Vandana Ramdas Kanhere is one and same person then after following the due procedure, the claim of the petitioner would be processed as per applicable provisions.

3. In the light of aforesaid affidavit, the learned counsel for the petitioner, on instructions, submits that the petitioner is willing to submit all relevant documents to support the claim for release of the amount of provident fund.

4. Accordingly the following order passed :

The communication dated 06/02/2018 (Annexure-E) is set aside. The petitioner is at liberty to submit all relevant documents to seek release of amount of provident fund to the respondent No.3 through respondent No.2. If the respondent No.3 receives the necessary documents, the claim shall be considered in accordance with law expeditiously.

The Writ Petition is disposed of accordingly with no order as to costs.

(Urmila Joshi-Phalke, J.)

(A. S. Chandurkar, J.)