

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO.12158 OF 2022

BHIMRAO PANDURANG BANKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND ANOTHER

Mr.C.D.Biradar, Advocate for the petitioner.
Mr.V.M.Kagne, AGP for respondent/State.

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

DATE : JANUARY 5, 2023

PER COURT :

1. The petitioner is the biological brother of the deceased Vijaya Pandurang Bankar, who passed away on 23.04.2022. The deceased had filled in a nomination form with regard to the PF contributions, on 01.01.2014. The petitioner, being her biological brother, was nominated to receive 50% of the PF amount, alongwith her biological sister Sarita, who would receive the same amount. Now that the sister Vijaya has passed away, the petitioner and his younger sister Sarita Bhikanrao Shirsath (now married), will have to tender certain documents as required by respondent No.2 so as to process the

payment of pension in equal shares to the petitioner and the surviving biological sister Sarita. He submits that without wasting further time, the Department would process the papers provided the biological sister Sarita tenders the requisite papers to respondent No.2.

2. In view of the above, Respondent No.2 would release the provident fund accumulations after the necessary formalities are completed by the petitioner and his sister.

3. In the event of there being any dispute as regards the payment of gratuity in equal shares to the petitioner and Sarita, they would be at liberty to avail of a statutory remedy as is permissible in Law.

4. With the above directions, this petition is disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)