



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 5404 OF 2021

SAVITA GORAKSHNATH KANWADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for petitioner : Mr. Vivek V. Tarde
AGP for the respondent – State : Mr. S.P. Joshi
Advocate for respondent no. 4 : Mr. A.V. Hon
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 13 JUNE 2024

PC :

The petitioner who is the estranged wife of the deceased employee of respondent no. 4 is before us aggrieved by the fact that respondent no. 4 has not been considering her representation for taking appropriate steps for payment of family pension to her.

2. We have heard both the sides.

3. Learned advocate for respondent no. 4 submits that the husband of the petitioner while taking voluntary retirement had submitted an affidavit and had expressly declined to nominate the petitioner on the ground that they were residing separately. Learned advocate would submit that in view of such affidavit filed by the deceased that the petitioner's request is not being considered.

4. Learned advocate for the petitioner submits that the petitioner though has obtained heirship certificate, she is still to get the succession certificate.

5. We dispose of the writ petition by allowing petitioner to approach respondent no. 4 with the succession certificate issued by the jurisdictional Court. On such certificate being produced, respondent no. 4 shall take immediate steps for processing the family pension papers within four weeks.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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