



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

WRIT PETITION NO. 12915 OF 2025

Kalawatibai Purbaji Gunge

VERSUS

The State Of Maharashtra Through Its Secretary And Others

Mr. U. B. Bondar, Advocate for petitioner

Mr. A. R. Kale, Addl. GP for respondent No.1-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 17th October, 2025

PER COURT :-

1. Heard learned Advocate for petitioner.
2. Learned Addl. GP waives notice for respondent No. 1.
3. No necessity to issue notice to respondent Nos. 2 and 3.
4. The petitioner challenges the impugned letter dated 22.07.2025 issued by respondent No. 3 thereby refusing to enter the name of the daughter of the petitioner in the record for family pension.
5. It is not in dispute that the petitioner was serving with respondent No. 2 as Peon and she retired on superannuation on 31.01.2025. She is getting pension. She states that she is having two daughters and one son. The elder daughter of the petitioner by name Gangubai Haribhau Sonwane presently aged 60 years is residing with her husband. The second daughter Anusaya got married to one Ramrao Raut in 1989. She cohabited for about six months and thereafter due to

differences in their thinking and behaviour, Anusaya and Ramrao decided to resolve their marital ties and the divorce deed on stamp paper of Rs. 10/- executed in presence of witnesses on 03.02.1993. The petitioner submits that Anusaya is residing with her and is depending on her. Therefore, she wants to make provision for the livelihood of the daughter and want to enter her name in the Nominee Form for family pension. However, by impugned order, her said request by letter dated 12.06.2025 came to be rejected.

6. Learned Advocate for the petitioner submits that the petitioner, her daughter and other persons even husband of her daughter were illiterate and the divorce has been taken only on the bond paper. Therefore, the request of the petitioner be considered sympathetically.

7. Here it is to be noted that by Government Resolution dated 07.01.2025, guidelines were given by the Government as to who can be included for getting the family pension. The Government considers only the legal divorce i.e., divorce obtained legally. Divorce on stamp paper cannot be said to be a legal divorce or proof of the legal divorce and, therefore, we do not find any illegality or error in the impugned communication. It cannot be quashed and set aside. Therefore, we dismissed writ petition.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi