

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 4834 OF 2024

Lailabi Raosaheb Nadaf. ... Petitioner.
Versus
Municipal Corporation of Greater Mumbai & Ors. ... Respondents.

Mr. Pranshul Dube, i/b. Vidvat Associates, for the Petitioner.

Mr. Sumeet Palsuledesai i/b. M.V. Kini & Co., for Respondent No. 2.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 15th APRIL, 2025

P.C. :

1. We have perused our order dated 1st April, 2025.
2. The learned Advocate for the Petitioner submits that the second wife will share the pensionary benefits with the children of the first wife. Apparently, this is in opposition to the law laid down by the Full Bench of this Court in **Writ Petition No. 9933 of 2016 (*Kamalbai w/o Venkatrao Nipanikar v/s. The State of Maharashtra & Ors.*)** & Other connected Petitions¹.

¹ 2019 (3) Mh.L.J. 921

3. The learned Advocate for the Petitioner submits that the Petitioner desires to withdraw this Petition.

4. We decline to issue any direction to the BEST to grant sharing of pensionary benefits between the Petitioner, who claims to be a second wife who had married the deceased during the life time of the first wife, along with the children of the first wife.

5. In view of the above, **this Petition is disposed off** as withdrawn on instructions.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)