



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

WRIT PETITION NO.4018 OF 2025

[Sou. Shila Mahakali Pamulwar Vs. Bhagyashree @ Sonu Babulal Nagrare and another]

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

Court's or Judge's order

Shri A.M. Chandekar, Counsel for Petitioner.
Shri A.R. Prasad, Counsel for Respondent No.1.

CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.

DATE : 15th OCTOBER, 2025.

1. In the present petition, the prayers made are as follows :

“a) issue appropriate writ, order or direction to release the 50% amount of gratuity and other death benefits payable on account of the service benefits of deceased Son – Nagesh in favour of petitioner – Mother (Annexure-D);

b) issue appropriate writ, order or direction and further be pleased to direct the respondent no.2 – WCL to comply with the order dated 24.01.2023 passed in W.P No.3853/2021;

c) grant any other relief deems fit, just and proper in the facts and circumstances of the case, in favour of the petitioner, in the interest of justice.”

2. It is not in dispute that the petitioner is the mother of deceased Nagesh and the amount claimed by the petitioner is to the extent of 50% of the gratuity payable on the death of her son. No doubt, there is a dispute going on between the widow of the deceased and the petitioner. However, in view of the fact that there is no dispute about the relationship of the petitioner with deceased Nagesh, we allow the present petition in terms of Prayer Clause (a) subject to filing of an undertaking by the petitioner that in case any adverse order is passed against the petitioner in relation to her entitlement to the amount received by her, she will return the

amount within three months from such order. Such undertaking shall be filed within two weeks from today. On filing of such undertaking, the respondent No.2 is directed to release 50% amount of the gratuity and other death benefits payable on account of service benefits of deceased Nagesh in favour of the petitioner-mother within eight weeks from the date of filing of undertaking.

3. With the aforesaid directions, the petition is disposed of.

4. The learned counsel for the petitioner undertakes to communicate this order to the respondents.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)