



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

WRIT PETITION NO.6377 OF 2025

Smt. Dipali Wd/o Gajendra Kuware
Aged 44 years, Occu: Housewife,
R/o Plot No.16, Ayodhya Nagar,
Manewada Road, Nagpur-24.

...PETITIONER

...V E R S U S...

1. Accountant General,
Indian Audit and Accounts Department,
Pension Wing, Civil Lines, Nagpur.
2. Deputy Director of Education,
Nagpur Division, Nagpur.
3. The Education Officer (Sec.),
Zilla Parishad, Nagpur,
4. Arvindbabu Deshmkh Maha
Vidyalaya, Bharsingi, Ta. Narkhed,
Dist. Nagpur, through its Principal.

...RESPONDENTS

Shri P.N. Shende, Advocate for petitioner.
Shri J.Y. Ghurde, A.G.P. for respondent no.2/State.
Shri V.P. Marpakwar, Advocate for respondent no.4

CORAM : SMT. M.S. JAWALKAR & M.W. CHANDWANI, JJ.
DATE : 17.12.2025

ORAL JUDGMENT : (Per : M.W. Chandwani, J.)

1. **Rule.** Rule made returnable forthwith. Heard finally
with the consent of both the parties.
2. The petition challenges the communication dated

25.08.2025 whereby certain compliances were asked by respondent no.3 – Education Officer to be made for processing the family pension of the petitioner who is the widow of one Gajendra Kuware, who was working as Lecturer with respondent no.4, who died on 07.01.2025. After his death, the proposal dated 12.07.2025 was forwarded by respondent no.4 for family pension of the petitioner. However, respondent no.3 did not find the nomination form in Form-E and Form-A and therefore, it was directed to respondent no.4 – Management to submit such nomination form in Form-E and Form-A. It was also directed that in absence of the nomination form, the petitioner shall be asked to submit succession certificate.

3. We have heard the learned counsel for the respective parties. It is brought to our notice by the learned counsel for respondent no.4 that the nomination form was submitted by deceased Gajendra Kuware in the wrong format and not as per Form-E and Form-A.

4. Be that as it may, the fact remains that deceased Gajendra Kuware had nominated his widow Dipali for post-retiral benefits. Since Gajendra Kuware is no more, there is no question of submitting the nomination form in Form-E and Form-A. Since,

nobody has disputed the entitlement of the petitioner, we feel that this petition can be disposed of with a direction to the respondent no.3 – Education Officer to treat the Form-1 (Page 15) as nomination form submitted by deceased Gajendra Kuware nominating the petitioner as nominee for receiving family pension. On receipt of the said proposal, respondent no.1 – Accountant General shall process the case of the petitioner without insisting on the nomination form in Form-E and Form-A.

5. The respondent no.3 – Education Officer shall send the proposal for family pension of the petitioner to respondent no.1- Accountant General within four weeks from today.

6. The respondent no.1 – Accountant General shall decide the family pension case of the petitioner as early as possible.

7. Rule is made absolute in the abovesaid terms. No order as to costs.

(M.W. CHANDWANI, J.)

(SMT. M.S. JAWALKAR, J.)

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