

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 9450 of 2026**

Santi Ram  
-versus  
The Union of India & Ors.

Mr. Pritam Chowdhury  
Mr. Dilip Kumar Sadhu  
... For the petitioner

Mr. Sauvik Nandy, Sr. Advocate  
Mr. Subrata Santra  
... For Union of India

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner claims to be the second wife of a deceased employee of the Railway Protection Force. She prays for a direction upon the respondents to disburse the terminal benefits in respect of her deceased husband as per the compromise decree entered into by and between the parties in the civil suit filed by her.

3. It has been submitted that the civil suit between the parties ended upon filing a *solenama* petition. The respondent authority ought to act in accordance with the terms and conditions of the *solenama*.

4. The petitioner is particularly aggrieved with the rejection of her prayer by the Senior Divisional Security Commissioner, RPF/HWH/Eastern Railway dated 28<sup>th</sup> March, 2026.

5. By the said order, the petitioner has been intimated that the dues of the deceased employee have been disbursed in accordance with the RSPS Rules, 1993. The dispute between the two wives was compromised by way of a *solenama* petition in a suit where the Railway administration was not a party. The respondents pray for dismissal of the writ petition.

6. Upon hearing the submissions made on behalf of both the parties, it appears that the personal law of the employee did not permit marrying more than one wife when the first wife is alive.

7. As per the provision of law, marriage with the second lady in the presence of the first one is illegal. The respondent authority cannot be directed to take any steps in respect of a marriage which is void *ab initio*.

8. The compromise petition entered into by and between the parties in a civil suit will not in any manner bind the respondent authority. The employer – being the State – would be bound to follow the law of the land and would not be bound by any compromise entered in between the private parties.

9. The Court does not find any error with the impugned order of the Senior Divisional Security Commissioner rejecting the petitioner's prayer for grant of terminal dues.

10. The writ petition fails and is hereby dismissed.

11. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**