

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION NO. 843/2022 (S.B.)

Smt. Rekha W/o Sanjay Khandekar,
Aged about 48 years,
Occ. Housewife, R/o Mangaldeep Nagar - 2,
Near Aradhana Nagar - 2, Plot No. 75 - A,
Manewada, Besa Road,
Nagpur.

Applicant.

Versus

- 1) The State of Maharashtra,
Through its Secretary,
Home Department,
Mantralaya, Mumbai- 400 032.
- 2) The Superintendent of Police, Akola.
- 3) Shri Sanjay S/o Ishwardas Khandekar,
Aged about 58 yrs., Occ. Service,
R/o C/o Old City Police Station,
Akola.

Respondents

Shri G.G.Bade, Id. counsel for the applicant.

Shri A.P.Potnis, Id. P.O. for the respondents 1 & 2.

Shri Sunil Pande, Id. counsel for the respondent no. 3.

Coram :- Hon'ble Shri M.A.Lovekar, Member (J).

JUDGMENT

Judgment is reserved on 12th March, 2024.

Judgment is pronounced on 15th March, 2024.

Heard Shri G.G.Bade, Id. counsel for the applicant, Shri A.P.Potnis, Id. P.O. for the Respondents 1 & 2 and Shri Sunil Pande, Id. counsel for the respondent no. 3.

2. Facts leading to this Original Application are as follows. After death of his first wife respondent no. 3 performed marriage with the applicant. Respondent no. 3 retired as Assistant Sub-Inspector on 31.08.2020. His mother Shantabai and daughter Mahima were named by him as nominees.

3. According to the applicant, respondent no. 3 drove her out of the matrimonial house and hence she applied for and was granted monthly maintenance of Rs. 8000/- by Family Court at Jalgaon. She filed application dated 12.11.2020 (A-5) before respondent no. 2 that her name be entered in service record of respondent no. 3 as his wife.

4. In this O.A. the applicant is seeking directions to the respondents to enter her name in service record of respondent no. 3 as his wife, and to pay to her 40% amount of pension of respondent no. 3.

5. In service record/pension papers names of mother and daughter of respondent no. 3 have been taken as his nominees. Since retirement respondent no. 3 is getting pension. The applicant cannot

claim any share in it. Family Court, Jalgaon has passed an order directing respondent no. 3 to pay maintenance of Rs. 8000/- per month to the applicant. For recovery of maintenance amount the applicant can file appropriate proceeding. Both the aforesaid reliefs claimed in this O.A. by the applicant are misconceived. **The O.A. is accordingly dismissed with no order as to costs.**

Member (J)

Dated :- 15/03/2024
aps

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Member (J).

Judgment signed on : 15/03/2024
and pronounced on

Uploaded on : 18/03/2024