

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

WRIT PETITION NO. 3227 OF 2021

Aditya Anandrao Pawar ... Petitioner
Versus
State of Maharashtra and Ors. ... Respondents

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Mr. Kalpesh Patil, Advocate for the Petitioner.

Smt. Jyoti Chavan, Addl. G.P a/w Manish Upadhye, AGP, for the
Respondent No.1 – State.

Mr. Shivprasad Borade, Advocate for Respondent /Corporation.

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CORAM : RAVINDRA V. GHUGE
&
M.M. SATHAYE, JJ.

DATE :- 7th OCTOBER, 2024

Per Court :-

1. The Petitioner is the son of the deceased bread earner, born to a lady who claims to have entered into marriage with the deceased, during the subsistence of his first marriage. The bread earner passed away on 24th June, 2006.

2. The issue before the BMC is with regard to the compassionate employment to the widow or the children of the

widow. A widow has been defined by the Full Bench of this Court delivered at the Aurangabad Bench, in ***Kamalbai Venkatrao Nipanikar vs. The State of Maharashtra and others, 2019 (3) Mh.L.J. 921 (Full Bench)***. A second marriage is not recognized and there cannot be two widows under the Hindu Marriage Act, 1955.

3. The learned Advocate for the Petitioner desires to research as to whether the son born from an unsustainable marriage, can claim compassionate employment.

4. Stand over to 21st October, 2024.

(M.M. SATHAYE, J.) (RAVINDRA V. GHUGE, J.)