

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4032 of 2015

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Asha Devi aged about 63 years W/o Late Vijay Kumar Sinha @ Vijay Prasad Resident of Village Dahuchak Nagala, P.O. Nagala, P.S. Malsalami, District Patna.

.... Petitioner

Versus

1. The Government of Bihar through Principal Secretary, Department of Health, New Secretariat, Patna.
2. The Director, Department of Health, New Secretariat, Patna.
3. The Collector, Patna, District Patna.
4. The Superintendent, Nalanda Medical College & Hospital, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the Respondent/s : Mr. Ritesh Kumar- Sc33

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 24-03-2015 Heard learned counsel for the parties.

Having regard to the fact that there is a dispute with regard to claiming retirement benefit of the husband of the petitioner, namely, late Vijay Kumar Sinha @ Vijay Prasad, who was working as a Ward Attendant in Nalanda Medical College and Hospital and for that purpose the petitioner has already been informed to produce the succession certificate and that the petitioner has also filed a case for obtaining succession certificate being Succession Case No. 183/2008 pending before the Addl. District Judge X, Patna, this Court would find it difficult to issue any direction to the respondents to make payment of retirement benefit of the husband of the petitioner till issuance of succession

certificate.

At the same time this Court fails to understand as to why disposal of succession case has taken such a long period and therefore, this Court would direct the Addl. District Judge X, Patna to ensure that if there is no laches on the part of the petitioner in pursuing Succession Case No. 183/2008, its disposal should be made expeditiously and preferably within a period of nine months from the date of receipt of this order.

With the aforementioned observation and direction, this application is disposed of.

Let a copy of this order be sent to the District Judge, Patna/ Addl. District Judge X, Patna for its strict compliance.

(Mihir Kumar Jha, J)

surendra/-

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