

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7299 of 2015

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Raj Kishore Sinha son of Late Jaglal Sinha resident of Mohalla - Ashok Nagar, Road No. 3, Vishal Sadan' Kankarbag, Patna, P.O. - Lohia Nagar, P.S. - Kankarbag, District - Patna.

.... Petitioner/s

Versus

1. The Bihar Vidhan Sabha, Patna through its Incharge, Secretary.
2. The In-Charge Secretary Bihar Vidhan Sabha, Bihar, Patna.
3. The Deputy Secretary, Bihar Vidhan Sabha, Bihar, Patna.
4. The Under Secretary, Bihar Vidhan Sabha, Bihar, Patna.
5. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh, Adv

For the Respondent/s : Mr. Vivek Anand Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 29-06-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner claims to be the husband of one late Inju Kumari, who was the employee of Bihar Vidhan Sabha, his prayer for a direction to the Respondents for payment of all death cum retirement benefits of late Inju Kumari, this Court having found from the representation of the petitioner that late Inju Kumari had not even nominated the petitioner as her nominee in any of her service records and the facts her such nomination made was in respect of some other person, would find it difficult to issue any

direction to the respondents to make payment of death cum retirement benefit of late Inju Kumari.

In such a situation, when the claim of the petitioner has become disputed, the remedy for the petitioner will be by way of filing a succession case and after the petitioner is issued the succession certificate by the competent court, he may approach the authorities of the Bihar Vidhan Sabha for payment of all the retirement benefits of late Inju Kumari.

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

(Mihir Kumar Jha, J)

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