

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15328 of 2015

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Jagu Devi, Wife of Late Jai Prakash Yadav, Resident of Village-Narayanpur (Nabtolia), Police Station-Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Old Secretariat, Patna, Bihar.
2. The Secretary, Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited, Patna.
3. Bihar State Construction Corporation Limited through its Managing Director and its Head Quarter at Khwaja Imli, Anisabad, Patna.
4. The Managing Director, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.
5. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Choudhary & Mr. Kaushalesh Choudhary, Advocates.
For the State	:	Mr. R.R.K. Pandey, S.C. 29 Mr. Nagendra Sharma, A.C. to S.C. 29.
For the Corporation	:	Mr. Ravindra Kumar Shukla, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 30-11-2015

Heard learned counsel for the parties.

The writ application has been filed for payment of death-cum-retiral dues of the husband of the petitioner pursuant to his superannuation.

The respondent-Corporation has not denied the fact that the pension is required to be paid and the dues are thus admitted. However, their stand is that due to financial crunch, the same has not yet been paid. The Court was also informed that in another proceeding concerning the respondent-

Corporation, the State was directed to give first installment of Rs. 10 Crores of the Corporation for payment to the employees against their admitted dues but the State has not released the amount. However, it is stated that the matter has been taken before the appellate Court though not by the State which clearly shows that the State never objected to the direction for payment of Rs. 10 Crores to the Corporation at the first instance.

Learned counsel for the petitioner has drawn the attention of this Court to order dated 05.01.2015 passed in **C.W.J.C. No. 6983 of 2010** in the case of **Madhu Kant Jha Vs. The State of Bihar and Ors.** by which the Court has disposed off the writ petition with a direction to make payment of the admitted retiral dues of the petitioner within a period of eight weeks.

After having considered the matter in its entirety, the Court is inclined to dispose off the present writ application also in terms of the aforesaid order dated 05.01.2015.

Accordingly, the application stands disposed off with similar directions as has been issued by the Court in its order dated 05.01.2015 in C.W.J.C. No. 6983 of 2010.

(Ahsanuddin Amanullah, J.)

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