

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.67 of 2015

In
Civil Writ Jurisdiction Case No. 20174 of 2013

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Sumitra Kunwar @ Sunain Devi

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh

For the Respondent/s : Mr. Sc12- Prabhat Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 15-04-2015

Rejoinder is filed on behalf of the petitioner.

The grievance of the petitioner is that the order dated 11-04-2014 passed by this court in CWJC No. 20174 of 2013 has not been complied with, by the opposite parties but I find that the order dated 11-04-2014 passed in CWJC No. 20174 of 2013 has already been complied with.

The opposite parties refused to grant family pension in favour of the petitioner on the ground that being second wife of the deceased, she is not legally entitled for grant of family pension.

It would appear from perusal of order dated 11-04-2014 passed in CWJC No. 20174 of 2013 that this court had directed the opposite parties to decide this fact as to whether the petitioner is second wife of the deceased-employee, namely,

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Surbanshi Ram @ Surbansh Ram or not and furthermore, whether the petitioner has alias name as “Sumitra Kunwar”. Furthermore, this court had directed that if, it is found that the petitioner is second wife of the deceased, Surbanshi Ram @ Surbansh Ram, the steps shall be taken in accordance with law. The above-said points have already been decided by the opposite parties and the family pension has been denied to the petitioner on the ground that being second wife of deceased, she is not entitled to get the same.

Therefore, in view of the aforesaid facts, I am in agreement that this petition is liable to be dismissed.

Accordingly, this petition stands dismissed.

However, if, the petitioner is not satisfied by the findings of the opposite parties, she may take legal recourse in accordance with law.

(Hemant Kumar Srivastava, J)

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