

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 20775 of 2010

=====

Kalawati Devi, Wife of Late Ramyash Chaubey, Village- Harigaon, P.S. Jagdishpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Road Construction Department, Bihar, Patna.
3. The Chief Engineer, Road Construction, Bihar.
4. The Superintending Engineer, Road Construction at Ara.
5. The Executive Engineer, National Highway, Road Division at Ara.
6. The Assistant Engineer, National Highway, Road Division, Jagdishpur (Bhojpur).

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

7 18-08-2015

Heard learned counsel for the parties.

The writ petition has been filed for a direction to the respondents to pay all retiral dues of her late husband who died in harness on 09.01.2004.

As per the counter affidavit filed on behalf of the respondents, the husband of the petitioner was in the work-charge establishment and his services had not been regularized till the day he passed away and thus no pension/family pension is payable. However, with regard to other dues, it has been stated that the same have been paid to him in the year 2006 itself.

Learned counsel for the petitioner submits that he is not in a position to reply as to whether the payments

have actually been made. However, in view of the fact that such statement has been made on oath enclosing supporting documents, he submits that the Court may dispose off the matter with liberty to the petitioner to represent if she has reason to believe that some payments are still due.

Accordingly, the application stands disposed off with liberty to the petitioner that, if so advised, she may file a representation within six weeks from today along with a copy of this order before the respondent no. 5. If such a representation is filed, the respondent no. 5 shall look into the matter and pass a reasoned order within four weeks thereafter. If any amount is found payable to the petitioner, the same shall also be paid to her within the next three weeks.

(Ahsanuddin Amanullah, J.)

P. Kumar

U		T	
---	--	---	--