

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2812 of 2015

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Most. Tetari Devi wife of Late Hakru Paswan, resident of village- Fatehpur,
Post- Sabour, P.S.- Sabour, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, null Agriculture Department, Government of Bihar, Patna
2. The Director, Agriculture Department, Government of Bihar, Patna
3. The Registrar, Bihar Agriculture University, Government of Bihar, Patna
4. The Principal, Bihar Agricultural University, Sabour, Bhagalpur
5. The District Provident Fund Officer, Bhagalpur
6. The Accountant General, Bihar, Patna, Birchand Patel Marg, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Respondent/s : Mr. S.P.Singh, GA7

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-02-2015

Heard learned counsel for the parties.

Having regard to the fact that the husband of the petitioner was an employee of the Bihar Agriculture College, Sabour, Bhagalpur, who had died in harness on 15.10.1981, this Court would find it very difficult now to direct any of the respondents to find out as to whether the employee concerned had made any deposit in his provident fund.

As a matter of fact, this writ application filed after 34 years of the cause of action is wholly belated and is fit to be dismissed on the ground of delay and laches specially when the petitioner has already been paid all other death cum retirement

benefit of her husband and is also receiving the monthly amount of family pension.

When such an observation has been made, learned counsel for the petitioner seeks permission to withdraw this application in order to enable the petitioner to move Director of Agriculture Department for making an effort by himself to find out as to whether any details of the deduction from the provident fund of the husband of the petitioner, who as quoted above died in harness on 15.10.1981, can still be found for its being paid to the petitioner.

That being so, this writ application is permitted to be withdrawn with the aforesaid liberty but then it is made clear that the petitioner will have no liberty to move this Court for the same cause of action.

(Mihir Kumar Jha, J)

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