

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20611 of 2014

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Mosmat Kavita Devi W/o Late Rajneesh Kumar Jha resident of village and
P.O. Shubhankarpur, Block Sadar, P.S. Town Darbhanga, District -
Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration,
Government of Bihar, Patna
2. The Commissioner, Darbhanga Division, Darbhanga
3. The District Magistrate Cum-Collector, Madhubani
4. The Additional Collector, Madhubani
5. The Circle Officer, Khajauli, Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manindra Nath Tiwari

For the Respondent/s : Mr. Gp23- Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 17-03-2015

Heard learned counsel for the parties as with regard to

the following relief prayed in this writ application:-

"Commanding the respondents to pay the post death cum
retiral dues including pension, Gratuity, G.P.F. etc. to the
petitioner on account of death of her husband late Rajneesh
Kumar Jha who died on 08.11.2012 while in service due to
harness."

2. Having regard to the fact that the petitioner is a
widow of Late Rajneesh Kumar Jha and claims death-cum-
retirement benefits of her late husband as well as family pension
for herself on account of death of Rajneesh Kumar Jha on
08.11.2012, this Court could have disposed of the writ application
in an effective manner by adjudicating dispute if any, had the
respondents filed their counter affidavit as with regard to the
aforesaid prayer made in this writ application filed on 05.12.2014,

wherein the filing of the counter affidavit is still awaited.

3. That being so, this Court would direct the respondent nos. 3, 4 and 5 to ensure that whatever admissible amount of death-cum-retirement benefits of late Rajneesh Kumar Jha, the husband of the petitioner, who was working as a Clerk in the office of the Circle Officer, Khajauli, Madhubani, is found admissible and payable, must be paid within a period of three months from the date of receipt of a copy of this order. The respondent no. 3 shall also be under obligation to give a calculation sheet of payments being made to her on the different heads of death-cum-retirement of Rajneesh Kumar Jha, whereafter if the petitioner is left with any further grievance, she may move the appropriate authority/court for its redressal.

4. It is, however once again, made clear that whatever amount is found admissible and payable by way of death-cum-retirement benefit of late Rajneesh Kumar Jha as well as family pension, if any, to the petitioner must be paid to her within the aforementioned period of three months.

5. With the aforementioned observation and direction, this writ application is disposed of.

(Mihir Kumar Jha, J)

Sujit/-

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