

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5570 of 2012

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Lalita Devi, Daughter of Late Phuldeo Ram, Resident of Village- Saraut, P.O.-
Bhagar, Police Station- Siswan, District- Siwan.

.... Petitioner/s

Versus

1. The Union of India through the Accountant General (Audit), Bihar, Birchand
Patel Path, Patna.
2. The Senior Deputy Accounts Officer Office of the Accountant General, Bihar,
Birchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate.
For the Respondent No. 1 : Ms. Kanak Verma, C.G.C.
For the Respondent No. 2 : Mr. Ram Yash Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 31-08-2015

Heard learned counsel for the parties.

The petitioner has moved the Court for a direction
to pay half amount of group insurance due to her late father
which seems to have been paid to the step-mother.

Learned counsel for the petitioner submits that the
step-mother was not entitled to such payment as the fact of
marriage itself is disputed.

As per the stand of the respondents, the late
employee himself while making nomination had shown the other
lady to be his wife and had also instructed for full payment to her,
though as a second nominee, the petitioner was also shown. Thus,
it is contended that once the employee himself had made certain
nomination in the manner aforesaid, the authorities had no
discretion to act otherwise and accordingly they have made

payment to the first nominee.

In view of the aforesaid, the writ application stands disposed off with liberty to the petitioner to move before the appropriate forum if she disputes the entitlement of the person who has received the amount of group insurance as per the law of succession.

(Ahsanuddin Amanullah, J.)

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