

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7129 of 2014

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Sindhu Devi, W/o Late Chandra Shekhar Yadav, resident of Village-Athnia,
Diyara, P.S.-Pirpainty, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director Genral of Police, Govt. of Bihar, Patna.
3. D.I.G. of police, Bhagalpur Region, Bhagalpur.
4. The District Magistrate, Jamui.
5. The Superintendent of Police, Jamui, Distt-Jamui.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Nalin Kumar, Advocate.
For the State : Smt. Kumari Amrita, GP-3.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 22-10-2016

Learned counsel for the respondents has filed a counter affidavit pointing out that the specified period of seven years for traceless leading to presumption of death of a person has not expired, but department after inquiry is confident that the traceless constable Chandra Shekhar Yadav is beyond the scope of trace. Learned Counsel for the respondents has produced a copy of the communication dated 15.10.2016 sanctioning pension and other dues to the petitioner, subject to the condition that in case her husband comes back, then all the payments made to her shall be recovered in one go.

It is also averred that the claim of the son of the petitioner for appointment on compassionate ground is being

examined in pursuance of a direction of this Court in C.W.J.C. No. 8005 of 2014 (Uttam Kumar Vs. the State of Bihar & Ors.), in respect of which a decision is required to be taken within a period of six weeks as per the order dated 02.09.2016.

In view of the fact that the pension and other benefits have been sanctioned in favour of the petitioner, I do not find that any further directions are called for in the present application. The writ application is, thus, disposed of.

However, if the payments are not released to the petitioner within a period of one month, it shall be open to the petitioner to seek revival of the present application.

(Hemant Gupta, J)

Mishra/-

AFR/NAFR	N.A.F.R
CAV DATE	N.A.
Uploading Date	26.10.2016
Transmission Date	