

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8055 of 2016

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Mobina Khatoon, wife of Late Md. Qurtul Ain, resident of Village-
Siswaniya, P.O.- Siswaniya, P.S.- Banjaria, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Inspector General of Police, Muzaffarpur Range, Muzaffarpur.
3. The Deputy Inspector General of Police, Saran Zone at Chhapra.
4. The Superintendent of Police, Saran.
5. The Superintendent of Police, East Champaran at Motihari.
6. The Station House Officer, Banjaria Police Station, District- East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Respondent/s : Mr. Shankar Kumar Thakur, AC to GP 27

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-09-2016

Heard the parties.

2. The petitioner claiming to be the widow of one late Md.Qurtul Ain, who is said to have died in harness on 17.12.2014, has filed the present writ petition for a direction to the respondent-authorities for payment of death-cum-retiral benefits and all other admissible dues of the deceased employee.

3. In view of the nature of the grievances/claims raised on behalf of the petitioner, this Court is of the opinion that instead of asking the respondents to file their counter affidavits, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before respondent no.4, the Superintendent of Police, Saran at Chapra with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

4. If such a fresh comprehensive representation is

filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent no.4, the Superintendent of Police, Saran at Chapra either himself or any other competent authority of the respondent State, as per his endorsement, shall be obliged to consider and decide the lawful claims of the petitioner strictly in accordance with law, by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, besides others, if any, at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

5. If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to her, then consequential admissible benefits shall be granted to her without any unnecessary further delay.

6. It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and this is left to be decided by the competent authority strictly in accordance with law.

7. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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