



IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20608 of 2014

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Lalita Devi, Wife of Late Ram Adhin Chaudhary, resident of
Pindaruch, P.S.-Kamtaul, District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary to the Govt. of Bihar, New Secretariat Building, Patna.
2. Director-Cum-Commissioner, Health Department, Govt. of Bihar, New Secretariat Building, Patna.
3. Civil Surgeon, Patna at Mahendru Ghat, P.S.-Pirbahore, District-Patna.
4. Registrar, Patna Medical College Hospital, Patna, P.S.-Pirbahore, District-Patna.
5. Superintendent, Patna Medical College Hospital, Patna.
6. Ram Ashis Chaudhary, Son of Late Chiranjeev Chaudhary, resident of Pindaruch, P.S.-Kamtaul, District-Darbhanga, A/P working as 4th grade employee in maternity ward P.M.C.H., Patna in the place and in the name of the deceased employee Ram Adhin Chaudhary died in harness on 10.03.2000.

.... Respondent/s

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Appearance :

For the Petitioner/s	: Mr. Tilak Sao, Adv. Mr. Ram Swarup Prasad, Adv.
For the State	: Mr. Kinkar Kumar, SC-27 Mr. Sushant Praveer, AC to SC-27

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 22-07-2016

Heard learned counsel appearing on behalf of the parties.

2. Facts of the present case are peculiar in nature. The petitioner claims to be the widow of late Ram Adhin Chaudhary, who was working against class-IV post in the maternity ward of Patna Medical College and Hospital, Patna. According to the petitioner, her husband died in harness on 10.03.2000, leaving behind her along with three daughters and one son.

3. It is her further case that she could not get death-cum-retiral dues, consequent upon the death of her husband, and she was kept in dark by her family members in her matrimonial house about the said retiral dues. According to the petitioner, her brother-in-law, namely, Ram Ashish Chaudhary, respondent No.6, started working in place of her husband, Ram Adhin Chaudhary, in Patna Medical College and Hospital, Patna, as an Imposter and is working even till date as class-IV employee. Once the petitioner learnt about the misdeeds of said Ram Ashish Chaudhary, respondent No.6, she approached the authorities informing them the true state of affairs.



4. Certain documents have also been brought on record in support of a plea that the person, who is working in the name of Ram Adhin Chaudhary, is a different person, whose actual name is Ram Ashish Chaudhary, who is the brother of the deceased, Ram Adhin Chaudhary.

5. A counter affidavit has been filed on behalf of the respondents-State of Bihar stating therein that service book of Ram Adhin Chaudhary shows that he was appointed on 01.08.1994 and is still working as such in Patna Medical College and Hospital at Patna. It has also been stated that an enquiry committee has been constituted to look into the grievance raised by the petitioner. However, there is nothing on record to show the outcome of the said enquiry.

6. This writ application involves disputed questions of fact, which cannot be gone into writ jurisdiction, under Article 226 of the Constitution of India. However, in view of the nature of grievance made by the petitioner and the stand taken on behalf of the respondents-State of Bihar, I direct the Superintendent, Patna Medical College and Hospital, Patna, to ensure that enquiry is concluded within a period of one month from the date of receipt/production of a copy of this judgment and

order and proceed accordingly thereafter.

7. With the aforesaid observation, this application stands disposed of.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	26.5.2016
Transmission Date	N/A