

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.228 of 2015

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1. Juhi Devi @ Juhi Kumari wife of Late Kaladhar Mishra,
2. Lakshmi Devi wife of Late Kaladhar Mishra,
Both resident of Mohalla- Gulzarbag, P.H.E.D. Pani Tanki, P.O. Gulzarbag, P.S.
Alamganj, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna
3. The District Magistrate, Patna-cum-Chairman, District Compassionate Committee, Patna, District- Patna
4. The Superintending Engineer, Public Health Engineering Department, Mechanical Circle, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar -Manglam

For the Respondent/s : Mr. Chandra Shekhar Singh, AC to GP16

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-07-2016

The Court is not willing to pass any order contrary to law of the land. Husband of the petitioners was a Hindu and still continues to be so because no change of religion can happen after death. Admitted fact is that he married twice over during the lifetime of first wife which, per say, is illegal, null and void. Merely because two wives have jointly filed the writ application seeking benefit of compassionate appointment in favour of second wife because she is younger of the two, it does not make the case of the petitioners any better in any manner because what is illegal continues to be illegal for

all times to come till the Hindu Marriage Act undergoes a change or amendment.

Writ application is dismissed because the second petitioner cannot beget benefit of compassionate appointment under the husband from the State authority.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

AFR/NAFR	NAFR
CAV DATE	
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