

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9850 of 2014

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Roop Kalo Devi, Wife of Late Gupteshwar Singh, resident of Vill-
Bikramganj, P.O. AND P.S.- Bikramganj and District of Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Primary Education, Govt. of Bihar, Patna
2. The District Magistrate, Rohtas
3. The District Superintendent of Education, Rohtas
4. The District Education Officer, Rohtas
5. The Headmaster, ALIGANJ PRIMARY SCHOOL, ANCHAL-SURYAPUR School, Rohtas
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Griyaghey

For the Respondent/s : Mr. Vivek Prasad SC-23

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-02-2016 Heard.

Indisputably, the petitioner is the second wife of the deceased employee. It is stated that after the death of his wife the employee married with her. However, it is not specially stated that such marriage, if any, had taken place during the service period of the employee. The writ application asserts that the marriage of the petitioner with the employee (since deceased) produced two siblings/offspring who may be entitled to family pension. The writ application seeks a direction for payment of family pension to those entitled.

A counter affidavit on behalf of respondent no.3 has been filed. No rejoinder thereto has been filed by the petitioner.

Counsel for the State submits with reference to Annexures-A and B of the counter affidavit that the petitioner has been called upon to produce certain documents enabling the respondents to examine her claim. This Court is not aware as to whether the petitioner responded to those communications and produced the papers/documents.

Considering the facts and circumstance of the case, the writ application is disposed of permitting the petitioner to take steps as per annexures-A and B of the counter affidavit whereafter the concerned respondent shall consider/examine the grievance of the petitioner and take appropriate decision and/or pass appropriate order in accordance with law.

(Kishore Kumar Mandal, J)

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