

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12955 of 2008

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1. Lal Babu Singh
 2. Munna Prasad Singh,
Both sons of Banarsi Singh, Resident of village Jhandu Bigha, P.S.
Hilsa, District Nalanda and at present Manpur (Bairiya) P.S.
Sampatchak, District Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner-cum-Secretary, Human Resources Development
Department, Bihar, Patna
3. The Director, Secondary Education, Bihar, Patna
4. The Director, State Education Research and Training Council, Bihar,
Patna
5. The Treasury Officer, Patna
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Anil Kumar Dwivedi, Advocate
For the State : M/s A.B.Sinha, SC 19 and
Neeraj Raj, AC to SC 19

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 17-03-2016

I.A. No. 7686/2015

Heard learned counsel for the petitioner and the State.

This interlocutory application has been filed for expunging the name of the sole petitioner, namely, Banarsi Singh, who is stated to have died on 19.5.2011, during the pendency of this writ application, and for substituting his heirs and legal representatives as described in paragraph 2. Both the heirs have been shown to be major. Vakalatnama has also been filed on their behalf. .

As a result, this application is allowed. Let the name

of the deceased sole petitioner, namely, Banarsi Singh be expunged and in his place his legal representatives as described in paragraph no.2 of this application be substituted.

C.W.J.C. No. 12955 of 2008

Heard.

Learned counsel for the petitioner fairly submits that in view of the statement made in paragraph nos. 6 to 13 the grievance of the petitioner stands redressed. But it is apparent that the entire payment has not been made. However, that was the situation on 26.9.2011.

Learned counsel for the State submits that by now every payment must have already been made.

Be that as it may, this writ application is being disposed of with a direction to the State authorities as well as the Accountant General, Bihar, Patna to do the needful for payment in view of the aforesaid statements made on behalf of State in favour of the petitioner and let necessary authorization letter by the Accountant General with respect to revision of pay be issued if already not have been done as it has been stated in paragraph 11 that as soon as the pay fixation duly verified by District Accounts Officer, Collectorate, Patna is received, his last pay & DA will be intimated to the Accountant General (A &

E), Bihar for amendment in entitlement of pension / family pension and difference of D.C.R. gratuity to the petitioner. If such steps have not been taken then it would also be required to be taken within a period of three months from the date of receipt / production of a copy of this order.

(Dr. Ravi Ranjan, J)

Spd/-

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