

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19115 of 2015

Urmila Devi, w/o Late Kamlesh Paswan, At - Bari Budalpura, PO - Khagaul, Dist - Patna.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna, Bihar.
2. The Principal Secretary, Building Construction Department.
3. Bihar State Construction Corporation through the Managing Director, Khawaja Imli, Anisabad, Patna - 2.
4. The Managing Director Bihar State Construction Corporation, Khawaja Imli Anisabad, Patna, Bihar.

.... Respondents

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Jha, Advocate
For the State : Mr. Amit Kr. Anand, AC to GP-15

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 11-05-2016

Heard learned counsel for the petitioner and the State,
however, none appears on behalf of respondent no. 3.

Petitioner submits that the dues with respect to arrears of salary have already been paid which is evident from Annexure-1 but the death-cum-retrial dues of the husband of the petitioner have not been paid as yet though he died in the year 2001 itself. It is contended that though a petition was filed for the purpose of liquidation of respondent no. 3 but the same was dismissed as it would be evident from Annexure-2. Thus, the order passed by a Single Judge Bench of this Court in Company petition no. 06 of 2016 is tenable so the Company is not under liquidation as has been stated in

Annexure-1.

Though a copy of representation was served upon the respondent concerned on 06.11.2015 itself. No counter affidavit has been filed and today when the matter is called out, none has appeared.

Having regards to the aforesaid facts and circumstances, this writ application is being disposed of with a direction to respondent no. 4 to immediately calculate death cum post retrial dues of the deceased husband of the petitioner and make payment of admissible amount within a period of three months from the date of receipt/ production of a copy of this order in case any amount has already not been paid. If petitioners is not found tenable by the managing director then a reasoned order was required to be passed and communicated to the petitioner.

(Dr. Ravi Ranjan, J.)

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