

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6974 of 2015

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Malti Devi, wife of late Upendra Kumar, resident of village - Kool, P.O. and P.S.
and District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Nalanda at Bihar Shariff.
2. The District Panchayat Officer, Biharshariff, Nalanda.
3. The Block Development Officer, Katrisarai, District - Nalanda.
4. The District Magistrate, Nalanda at Bihar Sharif.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Adv.
Mr. Kamala Pd. Roy, Adv.
Ms. Seema Kumari, Adv.

For the Respondent/s : Mr. Kamlesh Kishore, AC to SC-12

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 22-08-2016

Heard parties.

As prayed, petitioner is permitted to implead the District
Magistrate, Nalanda at Bihar Sharif, as respondent no. 4 during course
of the day.

At the very outset, it is submitted that the petitioner's
husband was died on 8.9.2011 serving as Panchayat Sevak but before
that, he was dismissed from service on 3.9.2011. The aforesaid
dismissal was challenged by the widow i.e. the petitioner by filing a
writ petition and, thereafter, appeal being Appeal No. 23 of 2012
before the competent authority. In the said Appeal, the learned
Commissioner, Patna Division, Patna, had modified and reduced the

order of punishment to compulsory retirement.

It is stated on behalf of the petitioner that other retiral benefits have been given, but family pension, arrear of pension, due salary of the petitioner’s husband who was working at Hilsa, Nalanda, have not been paid till date.

In that view of the matter, this writ application is being disposed of with a direction to the District Magistrate, Nalanda, at Biharsharif, to examine the matter. If the family pension is found admissible, it shall be calculated from the due date and paid to the petitioner. If certain arrears of salary of the husband of the petitioner were also not paid, as alleged in the rejoinder, then that should also be calculated and paid to the petitioner.

It is expected that the entire exercise would be completed within a period of three months from the date of receipt/production of a copy of this order.

S.Ali/-

(Dr. Ravi Ranjan, J)

AFR/NAFR	NAFR
CAV DATE	N/A
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