

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12499 of 2015

=====

Indra Devi, wife of Late Raj Narayan Mishra @ Raj Narayan Jha, resident of village - Dath, P.O. Bharvari, P.S. Hasanpur, District - Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Energy, Govt. of Bihar, Patna.
3. The Managing Director, North Bihar Power Transmission Company Limited, Vidyut Bhawan, Bailey Road, Patna.
4. The General Manager Cum Chief Engineer, Bihar State Power Transmission Company Limited, Transmission Area, Muzaffarpur.
5. The Account Officer, Bihar State Power Transmission Company Limited, Transmission Area, Muzaffarpur.
6. The Assistant Electrical Engineer, Transmission Sub Division, Khagaria.

.... Respondents

=====

Appearance :

For the Petitioner	:	Mr. Gajendra Jha, Mr. Abhay Kumar Jha, Advocates
For the B.S.P.T.C.L.	:	Mr. Vinay Kirti Singh, Advocate
For the State	:	Mr. Rajesh Kumar, A.C. to G.P 28

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 19-05-2016

Heard parties.

Petitioner claims to be the second wife of late Raj Narayan Mishra. It is contended that her husband retired from the services of the Bihar State Electricity Board on 31.01.1998 and was allowed pensionary benefits. However, he died in the year 2012 but the family pension is not being given to the petitioner on the ground that name of the first wife of the petitioner Bindhyawasini Devi is there but it is contended that she had died on 17.05.1970 itself and,



thereafter, the aforesaid employee married with the petitioner in the year 1972 and, thereafter, four sons and a daughter was born from the wedlock. In support of such submission, he has produced certificate granted by the Anchal Adhikari. A copy of the certificate dated 16.03.2015, which has been appended as Annexure 4, shows that name of her husband is late Raj Narayan Mishra @ Raj Narayan Jha. However, document submitted by the Raj Narayan Mishra, which is available to the department, shows that his wife name is Bindhyawasini Devi being of 55 years on 21.10.1997. It is contended on behalf of the respondent that the same has been signed by the deceased employee himself and, as such, the petitioner's claim is not tenable.

Be that as it may, since the petitioner submits that she has certain document to show that she is widow of the deceased employee and she has given a representation in this regard to the Accounts Officer which has been appended as Annexure 3, let a decision in accordance with law be taken by the authority on the representation filed by the petitioner. If the petitioner files certificate granted by the Anchal Adhikari then, if necessary, communication should be made and enquiry should be conducted through the Anchal Adhikari in this regard. Let the entire exercise be completed within a period of six months from the date of receipt/production of a copy of

this order.

However, this is made clear that this Court has not formed or expressed any opinion with regard to the merit of the case.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.06.2016
Transmission Date	NA