

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1888 of 2016

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Most. Ritu Kumari wife of Late Jitendra Ram, Resident of village- Tilouthu, P.O. +
P.S.- Tilouthu, District- Rohtas (Sasaram)

.... Petitioner/s

Versus

1. The Bihar State Power Holding Company, Patna through its Chairman
2. The Chairman of the Bihar State Power Holding Company, Patna
3. The Managing Director of the Bihar State Power Holding Company, Patna
4. The Electrical Superintending Engineer, Rohtas Circle Sasaram, District- Rohtas at Sasaram
5. The Electrical Executive Engineer, Electric Supply Division, Bhabhua, Kaimur
6. The Electrical Assistant Engineer, Electric Supply Sub-Division, Ramgarh (Kaimur)

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Nawal Kishor Singh, Advocate
For the Respondents : Mr. Ranjit Sinha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 19-05-2016

Heard.

Petitioner claims to be the second wife of Late Jitendra Ram, who died in harness on 20.10.2014. It is stated that the first wife, namely, Manju Devi died issueless in an accident in the year 2008. It is urged that nothing is being paid towards the death benefit- post retiral benefits of the husband and the benefits accrued to the petitioner as the widow of the deceased employee.

It is apparent from Annexure 5 that there is a dispute as another wife is claiming benefits.

Learned counsel for the petitioner further submits that

the petitioner had already filed a case for grant of succession certificate but the authorities have not even supplied the total amount which would be due to her husband as death cum post retiral benefits so that a final decision could be taken in the concerned case.

Accordingly, this writ application is being disposed of with a direction to the respondent no. 5 who has authored Annexure 5 to calculate the amount of death cum post retiral dues of the deceased employee and furnish a copy to the petitioner without prejudice to a final decision would be taken by them for payment of such amount after necessary verification and examination of the matter within a period of one month from the date of receipt / production of a copy of this order.

It is made clear that does not mean that the payment of aforesaid amount would be immediately be made to the petitioner as the same would depend upon the decision of the competent authority which would be taken in future as to who is actually entitled to receive such payment.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
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