

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6596 of 2012

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Pushpa Kumari @ Pushpa Srivastava W/o Late Dr. Manoranjan Kumar Srivastava
Resident of Mohalla- Chandmari Road No. -9, P.O. & P.S. - Kankarbagh, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Medical Education and Family Welfare Department, Vikas Bhawan, New Secretariat, Patna
2. Director-In-Chief, Health Department, Government of Bihar, Vikash Bhawan New Secretariat, Patna
3. Additional Director, Health Department , Government of Bihar, Vikas Bhawan, New Secretariat, Patna
4. The Principal, Sri Krishna Medical College, Muzaffarpur, Bihar
5. The Accountant General of Bihar, Virchand Patel Marg, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Nath Kanth, Advocate.

For the Respondent/s : Mr. Anil Kr Uapdhyay, SC-20

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-07-2016

Heard learned counsel for the parties.

In view of the fact that subsequent to the remand by the High Court, the exercise of re-hearing the petitioner by the disciplinary authority not having been completed within the time stipulated, the remaining retiral benefits have been paid to the petitioner, who is wife of the deceased employee, and, thus, for all practical purposes, the writ petition has become infructuous.

Accordingly, the writ petition stands disposed off.

However, learned counsel for the petitioner submits



that there are some apparent errors in the calculation. Taking into consideration such plea, the petitioner shall be at liberty to file a detailed representation before the Secretary, Department of Health, Government of Bihar (respondent no. 1) along with a copy of this order giving details of the calculation and the errors which have occurred while computing the retiral benefits of the late husband of the petitioner. It shall also be open to her to calculate the arrears of salary, which according to her has not been paid from 01.01.1996 till 31.07.1998, as her late husband superannuated in the revised pay scale. If such a representation is filed, within two months from today, the respondent no. 1, shall be obliged to consider the same and pass a reasoned order within two months thereafter. If any further payment is required to be made, as per the order passed on the representation of the petitioner, the same shall also be paid to her within the next four weeks.

(Ahsanuddin Amanullah, J)

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