

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7981 of 2016

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Most. Urmila Devi wife of Late Lambodar Mandal, resident of village-Bagicha, P.S.- Bounsi, District- Banka at present residing at New Colony, Baidyanathpur, P.S.- Baidyanathpur, District- B. Deoghar, Jharkhand
..... Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate-cum-Collector, Banka
3. Deputy Development Commissioner, Banka
4. District Panchayati Raj Officer, Banka
5. Establishment Deputy Collector, Banka
6. Block Development Officer, Barahat, Banka
7. Block Development Officer, Katoria, Banka
8. Block Development Officer, Chandan, Banka
9. Accountant General, Bihar, Birchand Patel Path, Patna

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh, Advocate

For the Respondent Nos. 1 to 8: Mr. Himanshu Kumar Akela, AC to PAAG-2

For the Respondent No.9 : Mr. Raj Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-09-2016

Heard the parties.

2. The petitioner claiming to be the widow of the deceased employee Lambodar Mandal, who is said to have died in harness on 19.02.2013, has filed the present writ petition for grant of reliefs enumerated in paragraph 1 of the writ petition.

3. In view of the nature of the grievances/claims raised on behalf of the petitioner, this Court is of the opinion that instead of asking the respondents to file their counter affidavits, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before respondent no.2, District Magistrate-cum-Collector, Banka, with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

4. If such a fresh comprehensive representation is

filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent no.2, District Magistrate-cum-Collector, Banka, either himself or any other competent authority of the respondent State, as per his endorsement, shall be obliged to consider and decide the claims of the petitioner strictly in accordance with law, by a reasoned and speaking order, at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

5. If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to her, then consequential benefits shall be granted to her without any unnecessary further delay.

6. It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and this is left to be decided by the competent authority strictly in accordance with law.

7. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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