

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2932 of 2013

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Basirun Khatoon @ Basirun Nisha Wife Of Late Lal Mohammad Resident Of
Village - Bangara Wajid, P.O. Chainpur Bangara, P.S. Maniyari, District -
Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Rural Works Department, Government Of Bihar, Patna
3. The Engineer-In-Chief-Cum-Special Secretary, Rural Works Department,
Government Of Bihar, Patna
4. The Superintending Engineer, Rural Works Department, Work Circle,
Muzaffarpur
5. The Executive Engineer, Rural Works Department, Works Division,
Muzaffarpur East
6. The District Provident Fund Officer, Muzaffarpur, District - Muzaffarpur
7. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 26-08-2016

Heard learned counsel for the parties.

The petitioner had filed the writ application for grant of
post retiral benefits due to her late husband including family pension,
gratuity etc.

The main contention of the respondents to resist such
payment was that the late husband of the petitioner was a Work
Charge employee.

Learned counsel for the petitioner submits that under various circulars of the State Government itself service of persons in Work Charge Establishment have been made at par with the regular government servants and such persons held entitled for all benefits, including post retiral dues. Further, he has produced web copy of judgment dated 21.04.2015 of a Division Bench of this Court in the case of **Saraswati Devi vs. State of Bihar (C.W.J.C. No. 21724 of 2012)** by which, under similar circumstances, the Court directed the respondents to sanction family pension and gratuity on account of service rendered under Work Charge Establishment by the late husband of the said writ petitioner.

Accordingly, the present writ petition also stands allowed in terms of the judgment dated 21.04.2015 in C.W.J.C. No. 21724 of 2012.

Let the dues be paid to the petitioner within three months from the date of production of a copy of this order before the respondent no. 5.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	NAFR
CAV DATE	N/A
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