

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7059 of 2016

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Gayatri Devi, W/o Late Mahesh Chaudhary, Resident of Village- Sanokhara, Post Office- Derma, Police Station- Akbarpur, District- Nawadah.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Human Resources, Govt. of Bihar, New Secretariat, Patna.
2. Director, Secondary Education, Budha Marg, Patna.
3. The Collector, Nawadah, Bihar.
4. District Programme Officer (Establishment), Govindpur, Nawadah.
5. District Education Officer, Nawadah.
6. Block Education Officer, Govindpur, Nawadah.
7. Treasury Officer, Nawadah, Bihar.
8. District Provident Fund Officer, Nawadah, Bihar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma, Advocate

For the Respondent/s : Mr. Manindra Kishore Singh- SC6

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL JUDGMENT

Date: 14-07-2016

Heard learned counsel for the petitioner and the respondents.

The petitioner is widow of late Mahesh Chaudhary, who was initially appointed as temporary Assistant Teacher (Matric Untrained) by the District Education Officer, Nawadah vide Memo no. 2056, dated 04.12.1999. In the year, 2013, the husband of the petitioner was posted as incharge Headmaster at Utkramit Madhya Vidyalaya, Madhopur within Govindpur Police Station in the district of Nawada.

It is the case of the petitioner that while her husband

was going to attend his duty in the school, he was shot by some miscreants on 29.10.2013, in this regard a police case, bearing, Govindpur P.S. case no. 101 of 2013, dated 29.10.2013 was registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner prays for payment of death-cum-retiral benefits.

Learned counsel for the petitioner submits that more than 2 ½ years have passed, but she has not been paid any amount with respect to retiral dues or even family pension. She submits that it is unfortunate that though the family pension has been sanctioned by the Accountant General Office, still the same has not been paid.

Having regard to the facts and circumstances of the case, we direct the respondents to immediately start family pension and to pay the other retiral dues of her husband within a period of three months from the date of receipt of a copy of this order.

With the aforesaid observation, the writ application stands disposed of.

(Samarendra Pratap Singh, J.)

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