

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3949 of 2016

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Nutan Devi W/o Late Balmiki Prasad Singh R/o Village + Post + P.S.
Pandarak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Registrar, Co-operative Societies, Bihar, Patna.
4. Bihar State Co-operative Marketing Union Ltd. Biscomaun Bhawan, Gandhi Maidan, Patna through its Managing Director.
5. The Managing Director, Bihar State Co-operative Marketing Union Ltd. (for short Biscomaun), Biscomaun Bhawan, Gandhi Maidan, Patna.
6. The Dipot Manager, Biscomaun Depot Barh, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar
Mr. Binod Kumar Mishra
For the BISCOMAUN : Mr. Ishwari Singh
For the Respondent/s : Mr. A. Ujjwal, SC-25

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-10-2016 Heard both sides.

The husband of the petitioner while serving as IVth grade employee of respondent-BISCOMAUN was retrenched on 20.01.2014. The writ application is filed for payment of the retrial dues of the deceased employee to the petitioner who is the widow as also for payment of salary payable to the employee who was husband of the petitioner.

A counter affidavit is filed on behalf of the respondent no.

5.

Besides raising an objection with regard to maintainability

of the writ application, it is stated that in the light of the order dated 29.07.2015 passed in M.J.C. No. 3691 of 2013, the respondent-BISCOUMAN is taking steps for payment of retrial dues as also the due salary in chronological manner to the retrenched/retired employee(s). The case of the petitioner, on its turn, was considered and certain post retrial dues as stated in paragraph 10 of the counter affidavit have already been cleared/paid. Only part salary of the employee remained to the clear/paid. In the light of the said order, the case of the petitioner would also be considered for remaining salary dues in accordance with the said direction.

Learned counsel for the petitioner on going through the averments made in the counter affidavit and after considering the stand taken by Mr. Ishwari Singh states that the application be disposed of directing the respondent- BISCOUMAN to consider the case of the petitioner for payment of remaining part/portion of the salary of the deceased employee (husband of the petitioner) in accord with the direction dated 29.07.2015 passed in M.J.C. No. 3691 of 2013.

The writ application recording the aforesaid stand of the parties is disposed of.

(Kishore Kumar Mandal, J)

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