IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7516 of 2016

==

Indrasani Singh, Wife of Late Surendra Prasad Singh, Resident of Mohalla - Urdu Bazar (Near Durga Mandir), P.O. Naya Bazar, Bhagalpur, P.S. Tetarpur, District – Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer-in-Chief-Cum-Additional Secretary-Cum-Special Secretary, Rural Works Department, Government of Bihar, Patna.
4. The Principal Secretary, Finance Department, Government of Bihar, Patna.
5. The Superintending Engineer, Rural Works Department, Work Circle, Gaya.
6. The Executive Engineer, Rural Works Department, Works Division, Sherghati, District – Gaya.
7. The Accountant General, Bihar, Patna.

.... Respondent/s

==

Appearance :
For the Petitioner/s : Mr.
For the Respondent/s : Mr.

==

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 15-11-2017

Heard learned counsel for the petitioner; State and the Accountant General.

2. The petitioner had moved the Court seeking death-cum-retiral benefits of her late husband who died in harness on 19.07.2013 but as of now, the controversy remains only with regard to the exact dues for which he was entitled relating to encashment of his unutilised earned leave.

3. According to the authorities, since the petitioner had not joined since 03.05.2012 till he died, no computation of earned leave was made, whereas as per the averments made in the writ petition and documents annexed, the petitioner submitted his

joining on 31.12.2012 and thereafter he was also posted to Araria by notification dated 28.06.2013. The authorities have not denied with regard to the joining submitted by the petitioner on 31.12.2012.

4. Having considered the issue, the writ petition stands disposed off with a direction to the authorities to ensure that sanction made of the death-cum-retiral benefits and authorities issued by the Accountant General be actually paid to the petitioner without delay and latest within a period of one month from the date of production of a copy of this order before the respondents no. 2 and 7.

5. As far as the computation of leave encashment is concerned, in view of the materials on record and the stand taken in the counter affidavit, the Court holds that the late husband of the petitioner is entitled to computation of leave encashment for the period 31.12.2012 till of his death. The authorities shall recalculate the number of days accordingly and if anything further is required to paid, the same shall also be paid within one month.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
U	