

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1189 of 2016

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1. Sarita Mishra Wife of Late Amarendra Kumar Mishra, Resident of MIG
- 71, Hanuman Nagar, Kankarbagh, P.S. - Patrakar Nagar, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar, the Secretary, Public Health Engineering Department,
Government of Bihar, Visheshwaraiya Bhawan, Bailey, Road, Patna.
2. The Chief Engineer (Mechanical), Public Health Engineering
Department, Government of Bihar, Visheshwaraiya Bhawan, Bailey
Road, Patna.
3. The Superintendent Engineer, Mechanical, Public Health Engineering
Department, Veterinary College Campus, Airport, Patna.
4. The Executive Engineer, Veterinary College Campus, Airport, Patna.

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Mrityunjay Kumar Tiwary, Advocate

For the Respondents : Mr. Madhaw Pd. Yadav, GP-23

Mr. Arvind Kumar, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

3 23-05-2017 Heard counsel for the petitioner and the counsel for
the respondents.

Admittedly, this petitioner is the third wife of the
late employee, namely, late Amarendra Kumar Mishra. The third
marriage was solemnized after the death of the first and the
second wife and, therefore, it is not a case of the marriage being
void.

If that be so and if the relevant declarations have
been made in the service-book of the late employee with regard
to her status as the wife and nominee, then there is no



impediment in the way of settlement of the post retiral dues and sanction of family pension in her favour.

The writ application is allowed and disposed of with a direction upon the respondents to settle her claim, if not already done, preferably within a period of three months from the date of receipt/production of a copy of this order.

(Ajay Kumar Tripathi, J)

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