

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8222 of 2016

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1. Om Prakash Verma, Son of Late Ashok Kumar Verma.
 2. Jai Shankar Prasad Verma, Son of Late Ashok Kumar Verma.
 3. Usha Kumari, D/o Late Ashok Kumar Verma.

All resident of village - Maheshpur, P.O. Tepri, P.S. Pear, District -
Muzaaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Accountant General, Bihar, Patna.
3. The Principal Secretary, Ruler Work Department, Government of Bihar, Patna.
4. The Secretary, Ruler Work Department, Government of Bihar, Patna.
5. The Joint Secretary, Ruler Work Department, Government of Bihar, Patna.
6. The Engineer-in-Chief, Minor Irrigation Department, Government of Bihar, Patna.
7. The Deputy Secretary, Minor Irrigation Department, Bihar, Patna.
8. The Chief Engineer, Minor Irrigation, Bihar, Patna.
9. The Superintending Engineer, Minor Irrigation, Circle, Darbhanga.
10. The Executive Engineer, Minor Irrigation Division, Darbhanga.
11. The Executive Engineer, Minor Irrigation Division, Samastipur.
12. The Executive Engineer, Ruler Development, Special Division - 2, Samastipur.
13. The Executive Engineer, Ruler Work Department, Work Division-2, Dalsingsarai (Samastipur).
14. The Executive Engineer, Ruler Works Division (Special Work Division-2), Rosera, Samastipur.
15. The Executive Engineer, Minor Irrigation Division, Madhubani.
16. The Assistant Engineer, Sub-Division Officer, Minor Irrigation Benipur, Darbhanga.
17. The District Provident Fund Officer, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate



For the State : Mr. Ravi Verma, A.C. to G.P. 4
For the Accountant General : Mr. Jitendra Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 21-12-2017

Heard learned counsel for the petitioners and the State.

2. The petitioners have moved the Court for payment of retrial dues of their late father.

3. The father of the petitioners was working under the State Government and attended to his duty till 1983 and thereafter he did not turn up till his retirement in the year 1986. However, he died in the year 1994 and thereafter the mother of the petitioners also died in the year 2007. Only subsequent to all this, the petitioners have applied for retrial benefits of their father and mother. Though the Court would normally under ordinary circumstances not interfered in the matter as neither the employee nor the wife is alive and even the petitioners are quite senior, but since already substantial payment has been made and the rest are also in the pipeline, in terms of the stand taken in the counter affidavit filed, the Court does not deem it necessary to keep the matter pending and accordingly, the writ petition stands disposed off with the observation that the dues of the petitioners be given to them, in accordance with law. The Court would not pass any



positive order in the background of what has been noted hereinabove and long efflux of time, as the cause of action arose in the year 1986, and the writ petition has been filed after 30 years thereof.

4. Moreover, the petitioners having earlier approached the Court in the year 2011 and there being a direction by the Lok Adalat, the authorities have acted in terms thereof.

(Ahsanuddin Amanullah, J.)

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