

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21515 of 2014

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Bibi Tabassum W/o Late Anwarul Haque Resident of Bakarganj Gola
Road Behind of Bisuit Fackry P.S. Pirbahar District - Patna

.... Petitioner

Versus

1. The State of Bihar through the Director General of Police, Bihar
2. The Superintendent of Police, Banka, Bihar
3. The Inspector General of Police, Banka Region, Bihar
4. The Accountant General, Patna, Bihar
5. Zahida Khatoon W/o Late Anwarul Haque D/o Hazi Aainul Haque
resident of Haque Manzil, Bhanwar Pokhar Bakarganj, Moharrampur Patna
- 800004

.... Respondents

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Appearance :

For the Petitioner : Mr. Ajay Mishra, Advocate

For the Respondent State: Mr. Prabhakar Jha, GP-27

Mr. Shankar Kr. Thakur, AC to GP-27

For the A.G. : Mr. Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

3 10-08-2017 Petitioner claims herself to be the second wife of the
erstwhile Government servant namely, Late Anwarul Haque.
However, in none of the official records or pension papers or
returns the present petitioner has been shown to be the wife of the
said employee who retired as a Sub Inspector.

Based on the documentation, family pension etc. has
already been authorized in favour of the first wife and now the
dispute has arisen after the death of Anwarul Haque.

In absence of any clear evidence or documentation,
mere joint account in a bank or a Adhar Card, which has now
been obtained, cannot form the basis for acceptance of the



petitioner's status as the wife of the said employee.

The petitioner has a long legal battle ahead of her. She may have to move a civil Court of competent jurisdiction for an appropriate declaration before she can expect any share from the late husband's post retiral dues and other claims.

Writ is dismissed with liberty as above.

(Ajay Kumar Tripathi, J)

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