

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19665 of 2015

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Kanti Devi Wife of late Ram Swarath Singh Resident of Village Sakraicha, Via
Punpun, P.S Parsa, in the District of Patna

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Road Construction Department,
Government of Bihar, Patna.
2. The Engineer-in-Chief, Road Construction Department, Government of Bihar,
Patna .
3. The State of Jharkhand, through the Principal Secretary, Road Construction
Department, Government of Jharkhand, Ranchi.
4. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-12-2017

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

2. Supplementary counter affidavit has been filed on
behalf of respondent no. 3 in which the categorical stand is that the
husband of the petitioner never joined at Jamshedpur, as has been
stated in the writ petition.

3. Learned counsel for the State of Bihar also pointed out
that various stands are being taken before the authorities by the
petitioner, inasmuch as, before one authority, the stand is that her late
husband retired while working in the Marketing Board at Bhagalpur.

4. Having regard to the aforesaid, the Court would not



call upon the respondents for a roaming enquiry, unless there is proper assistance on behalf of the petitioner. Till date, the Court finds that contrary stands are being taken and once the authorities come out with a response which falsifies the stand taken on behalf of the petitioner, the stand is shifted. The Court cannot become party to such casual approach.

5. Unless correct facts are placed either before the Court or the authority, the petitioner cannot expect any relief for the authorities can be called upon to answer only when specific and correct facts are placed before the Court.

6. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file representation before the respondent no. 1 giving details of all materials in her possession. Upon the same being done, the authorities shall look into it and take appropriate steps, as may be required in law.

7. If the representation is filed within four weeks from today, the same shall be disposed off by a reasoned order within two months thereafter.

(Ahsanuddin Amanullah, J)

Anjani/-

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