

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13054 of 2015

Subachni Devi W/o Late Ram Briksh Ram Retired District Supply Officer from Gopalganj, Bihar presently resident of By Pass Road Barulata, Post Office Sudna, P.S. Medininagar, Sadar, District Palamau, Jharkhand, Pin Code 822101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Secretary Food Supply and Commerce Department, Patna, Bihar, Pin Code 800001.
2. The State of Jharkhand through Treasury Officer, Palamau, P.O. + P.S. Daltanganj (Medininagar), District Palamau, Jharkhand.
3. The Joint Secretary, Department of Food and Consumer Protection, Govt. of Bihar, Patna-800001.
4. The District Magistrate, Gopalganj, P.O. + P.S. Gopalganj, Bihar.
5. The District Supply Officer, Gopalganj, P.O. + P.S. Gopalganj, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Respondent/s : Mr. GAUTAM BOSE

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date : 22-09-2017

Heard counsel for the petitioner and counsel for the State.

Husband of the petitioner was convicted by the C.B.I. Court for a period of four years and even fine of Rs. Three lakhs was imposed upon him. This decision was rendered on 31.03.2008. The husband of the petitioner died in the year 2013 and now the wife expects that the past conduct and conviction of the husband of the petitioner should be wished away and she should be granted benefit of family pension and all other post retirement benefits.

Merely because the husband of the petitioner died, the order of conviction and imposition of fine does not vanish. A convict is



not entitled to payment of any benefit much less post retirement benefits unless his name is cleared of such allegation and charges.

The only remedy which the petitioner, the wife, will have may be file an appeal and get acquittal of the husband in the said appeal before she can expect any payment of post retirement dues as well as family pension etc.

It is a misplaced kind of writ application, which has been filed.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

Pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
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