

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1070 of 2016

Arising out of

C.W.J.C. No. 15232 of 2008

- =====
1. State of Bihar through Secretary, Department of Forest and Environment, Bihar, Patna.
 2. The Principal Chief Conservator of Forest, Technology Building, 4th Floor, Bihar, Patna. At present "ARANYA BHAWAN" Riding Road, Patna-14
 3. The Conservator of Forest, Patna Circle, Patna Nehru Nagar, Patna-13. at present "ARANYA BHAWAN" Riding Road, Patna-14
 4. The Divisional Forest- cum- Enquiry Officer, Patna Division, Patna.

.... Appellant/s

Versus

1. Sumitra Devi, Wife of Rama Kant Choudhry, son of Late Raghunandan Choudhary.
2. Indra Raj Vishnu, Son of Late Rama Kant Choudhary.
3. Amrit Raj Vishnu, son of Late Ramakant Choudhary. All resident of Road No.8, Indrapuri, P.S- Patliputra, District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-08-2017

Delay of 316 days in filing of this appeal is condoned.

I.A. No. 4967 of 2016 stands allowed and disposed of.

As the learned Writ Court has only interfered with the matter with regard to grant of pensionary benefit to a widowed lady by quashing the punishment of withholding of 10 per cent pension imposed upon the employee and as the learned Writ Court has interfered into the matter after the employee's death looking to the



interest of the widowed lady, we see no reason to make any indulgence into the matter with regard to discretion exercised by the learned Writ Court.

The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	18.08.2017
Transmission Date	

