

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23654 of 2013

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Gulabo Devi, W/O Late Yamuna Prasad, residing in East Ashok Nagar,
Road No. 14A,/19, Kankarbagh, Patna- 20.

.... Petitioner

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Bailey Road, Patna.
3. Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Bailey Road, Patna.
4. Joint Secretary, Government of Bihar, Health Dept., New Secretariat, Patna.
5. Director in Chief, Department of Health, New Secretariat, Patna.
6. Civil Surgeon cum Chief Medical Officer, West Champaran, Bettiah.
7. Additional Chief Medical Officer, West Champaran, Bettiah
8. Under Secretary cum Administrative Officer, Bihar Health Department, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ram Janam Maharaj, Advocate.
For the Respondents : Mr. Rajendra Kr. Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present writ application, the petitioner has sought
for the following relief.

“1. That this application is for
issuance of an appropriate writ
order or direction asking the
respondents concern to show
cause as to why admitted
amount towards practcity
increment etc., payment to the
deceased husband of the



petitioner held up so far by the respondent concern and deprecating the respondents concern to pay to the petitioner all such held up payment to the petitioner on account of death her husband late Yamuna Prasad lastly employee in Bettiah in District Extension of Medical Officer on or before 04.08.2002 towards retrial admitted dues of unpaid salary and increment etc., besides any other relief to which the petitioner may be found entitled for.”

Learned counsel for the State has filed a counter affidavit. In paragraph no. 5 of the said counter affidavit, it has been stated as follows:

“5. That it is relevant to point out here that as per the information supplied by the Additional Chief Medical Officer, West Champaran, Bettiah, it is submitted that the following payments have already been made in favour of the writ petitioner (specially made in Annexures-2 and 5 of the writ petition) by the authorities concerned:-

(i) Payment of Rupees 20,603.10 has already been made to the writ petitioner vide Cheque No. 134904 dated 24.07.2003.

(ii) Payment of interest for delay in the payment vide Bill No. 13 of 2011-12 of Rupees 3295/-.



- (iii) Payment of salary from 11.09.2000 to 20.09.2000 with interest vide Bill No. 14 of 2011-12 of Rupees 9257/-.
- (iv) Payment of salary from 19.05.2000 to 10.09.2000 with interest vide Bill No. 16 of 2013-14 of Rupees 46,438/-.
- (v) Payment of increment from 06.02.1974 to 06.02.1979 has already paid to the husband of the writ petitioner, is evident from the perusal of the Service Book of Yamuna Prasad.
- (vi) Payment of salary of Strike Period from 20.09.1977 to 07.11.1977 with interest vide Bill No. 15 of 2013-14 of Rs. 1565/-.
- (vii) Payment of un-utilized Leave of 240 days has already paid vide Bill NO. 02 of 2003-04 of Rupees 93,916/- through Cheque No. 134902 dated 24.07.2003.”

It is submitted by learned counsel for the petitioner that the cheques with regard to the payments have been issued but the same have not been handed over to the petitioner.

If it is so, the petitioner shall make a representation before the Respondent No. 5, the Director-in-Chief, Department of Health, New Secretariat, Patna, who shall ensure that the claim with regard to the payments of the petitioner is paid to him within a period of three months from the date of receipt of such representation.



With the aforesaid observations and directions, the
present writ application stands disposed of.

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(Sudhir Singh, J)

