

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.868 of 2015

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Rajni Kaushal @ Rajini Kaushal W/o Late Kaushlendra Kumar, D/o Jamun Ram, resident of village- Sargahi (Bhise tola), P.S- Tariyani District-Sheohar.

.... Petitioner

Versus

1. The State of Bihar.
2. The Director General of Police, Old Secretariat, Bihar, Patna.
3. The Inspector General (Special Branch), Old Secretariat, Bihar, Patna.
4. The Superintendent of Police (Special Branch) Old Secretariat, Bihar, Patna.
5. The Deputy Superintendent of Police, (Accounts & Pension) Special Branch, Harding Road Patna-800001.
6. The Dy. Superintendent of Police (Special Branch), Darbhanga Commissioner, Laheriasarai, Darbhanga.
7. Smt. Usha Devi, (retired CDPO), W/o Kaushlendra Kumar, resident of Gandhi Nagar, Katarahia Mohalla, Laxmi Sagar, District- Darbhanga.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Tiwari

For the Respondent/s : Mr. Mithilesh Kumar Pathak

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

3 10-08-2017 Writ application is disposed of keeping in mind that even if the fact of the present petitioner's marriage to the erstwhile employee is accepted to be correct, the said marriage has no legal sanctity in the eye of law when the first wife is still alive.

The state authorities in the counter affidavit have taken a stand that the child may be entitled to the benefits but not the wife which is the correct position in law.

The writ application stands disposed of since no relief can be granted to the petitioner.

(Ajay Kumar Tripathi, J)

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