

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6775 of 2017

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Tara Devi, Wife of Devki Paswan, resident of Mohalla- Professor Colony
Sundargarh, P.S.- Bihar, District- Nalanda. Petitioner/s

Versus

1. Magadh University, Bodh Gaya through its Vice Chancellor.
 2. The Vice Chancellor, Magadh University Bodh Gaya.
 3. The Registrar, Magadh University, Bodh Gaya.
 4. The Principal, Nalanda College Biharsharif. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Respondent/s : Mr. Shivendra Kishore, Sr. Advocate
Priyank Deepak, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 13-12-2017

Heard learned counsel for the petitioner and the
respondents.

2. Counsel for the petitioner submits that the husband
of the petitioner died in harness on 17.03.2016 and the respondents
have not taken final decision for appointment of the petitioner on
compassionate ground.

3. Mr. Shivendra Kishore, learned senior counsel
appearing on behalf of Magadh University, Bodhgaya, has drawn the
attention of the Court to para 10 and 11 of the writ application, which
reads as follows:

“10. That the First wife of Devki Paswan was
died in the year 1986 and the marriage of the
petitioner was performed with Devki Paswan in the
year 1987.

11. That it is humbly submitted that after death
of her husband petitioner has filed her detail



representation on 31.3.16 praying therein for consideration of her appointment on compassionate ground but till date respondents have not taken any action.”

4. He submits that the petitioner has not disclosed whether the deceased has any off-spring out of first marriage or not.

5. Without entering into the controversy, the writ application is disposed of with a direction to the petitioner to file a detailed representation along with the copy of this order enclosing the detail family description including the fact as to the off-spring to the first marriage of the deceased. In case, such representation is filed before respondent no.3 (Registrar, Magadh University, Bodh Gaya) along with a copy of this order as well as the details as indicated hereinabove, the respondent no.3 will examine the claim of the petitioner and pass appropriate order in accordance with law within a period of three months from the date of filing of such representation with the details of the dependants of the deceased.

6. With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.12.2017
Transmission Date	NA

