

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16358 of 2016

=====

Smt. Asha Sinha, wife of Late Ravikant Prasad, present resident of Mohalla-
Lakhibagh, Police Station+Post Office- Masaurhi, District- Patna, Pin
804452, Permanent address Village- Gonepura, Police Station- Kurtha,
District- Arwal (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Bihar, Patna.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Accountant General, Office of Accountant General (A&E), Bihar, Patna.
4. The District Magistrate, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer (Establishment), Patna.
7. The Branch Manager, State Bank of India, Masaurhi Branch, Patna.
8. Smt. Kanti Devi, wife of Shri Uday Kumar ,(Son of Sri Ram Ugrah Singh)
resident of Village- Nighwa, Post Office- Nighwa, Police Station- Kurtha,
District- Arwal (Bihar).

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar singh
For the State	:	Mr. Ashutosh Ranjan Pandey, AAG-15
For the SBI	:	Mr. Satya Prakash Tripathy
for the A.G., Bihar	:	Mr. Kumar Priya Ranjan

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

Date : 19-08-2017



Heard the parties.

2. Late Ravikant Prasad was an Assistant Teacher, who retired on 31.08.2014, while posted at Middle School, Sripalpur, Punpun, Patna. He died subsequently. The petitioner claims to be the legally wedded wife of said late Ravikant Prasad for the purpose of claiming her entitlement to receive death-cum-post-retiral dues. According to her, respondent No. 8, Smt. Kanti Devi is not the legally wedded wife of the deceased Ravikant Prasad.

3. The said respondent No. 8 also filed a writ application before this Court, giving rise to CWJC No. 18344 of 2016, in which the present petitioner was respondent No. 4. Following order has been passed by this Court, on 13.01.2017, in said CWJC No. 18344 of 2016 :

“Learned counsel for the petitioner submits that for the relief sought for in the present writ petition, the petitioner would seek remedy by filing suit before the court of competent jurisdiction.

Learned counsel for the State Bank of India raises no objection to the request made by the petitioner.

In that view of the matter, the writ petition is disposed of as withdrawn.”



4. In that view of the matter, the nature of dispute raised in the present proceeding need not be looked into in a writ jurisdiction.

5. This application is, accordingly, dismissed with an observation that the petitioner too shall have at liberty to seek remedy in a civil suit before a civil court of competent jurisdiction.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.08.2017
Transmission Date	N/A

