

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11468 of 2015

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Prabhat Kumar Krishnaputre Son of Late Krishna Chandra Sinha resident of Mahendru, P.O. Mahendru, P.S. Sultanganj, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The District Education Officer, Patna.
4. The District Programme Officer (Establishment), Patna.
5. The Block Education Officer, Phulwarisharif, P.O. and P.S. Phulwarisharif, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh with Mr. Raj Kishore Sinha, Advocates
For the State	:	Mr. Sushil Kumar Singh, AC to AAG 10

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 22-05-2017

Heard learned counsel for the petitioner and State.

2. The petitioner is aggrieved by non-payment of retriail benefits due to his late mother who died in-harness on 05.05.2003.

3. Learned counsel for the State, at the very outset, submitted that in view of stand taken by them in the counter affidavit, the name of the petitioner differs from the family list available on the official records and further that late Renu Sinha, who is said to be the mother of the petitioner, is shown to have two sons namely Prakash Kumar Sinha and Prabhat Kumar Sinha whereas the name of the



petitioner is Prabhat Kumar Krishnaputre.

4. Learned counsel for the State submitted that all the dues have been admitted and shall be paid subject to the person(s) satisfying the authorities that they are the real claimants.

5. At this juncture, learned counsel for the petitioner submitted that he may be given opportunity to approach the authority to satisfy that he is also a claimant and accordingly the payment of his share be made to him.

6. Having considered the facts and circumstances of the case, though copy of counter affidavit is neither on record nor copy has been served on learned counsel for the petitioner but to expedite matters, in view of the admitted position, let the petitioner appear before the respondents no. 3 and 4 within four weeks from today, along with a copy of this order and satisfy them with regard to him being a genuine heir/claimant of late Renu Sinha who died while working as Assistant Teacher on 05.05.2003 at Primary School, Rampur Mushari (Jhuggi Jhopadi), Patna.

7. If the petitioner does so, the respondents no. 3 and 4 shall get the matter verified and accordingly pay the share of the petitioner, in accordance with law, after being satisfied of the factual position. If they come to a finding that any payment is to be made to the petitioner, the same shall also be made to him within four weeks



thereafter.

8. The Court would only observe that if the petitioner has already approached the authority or filed any document with regard to any of the queries, the same shall also be taken into consideration by the authorities concerned while deciding the matter and making payment.

9. The writ petition stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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