

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6215 of 2013

In

Civil Writ Jurisdiction Case No. 18042 of 2012

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Sushma Kumari @ Sushma Gupta W/O Late Prakash Kumar Gupta R/O
Vill. - Gangachak Bazar, P.O. Gangachak, P.S. Masaurhi, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar the Chief Secretary, Government of Bihar, Old Secretariat, Patna, Bihar Shri Ashok Kumar Sinha
2. The Accountant General, Bihar Birchand Patel Path, Patna Shri Sanjay Kumar
3. The Secretary, Department of SC & ST Welfare, Government of Bihar, Patna Shri S.M. Raju
4. The Director, Department of SC & ST Welfare, Government of Bihar, Patna Shri Narayan Lala
5. The District Magistrate, Vaishali, Hajipur Shri Jitendra Srivastava
6. The District Welfare Officer, Vaishali, Hajipur Shri Shiv Kumar Sinha
7. Divya Prakash D/O Late Prakash Kumar Gupta And Smt. Rita Gupta C/O - Shri K.D. Prasad, Hawaii Nagar, Road No.3, Jagarnathpuri, Ranchi (Jharkhand), Pin - 834003

.... Respondent/s

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Appearance:

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

For the Respondent/s : Mr. Pawan Kr. Mishra.

For the Accountant General: Mr. L.P.K. Rajgarhia, SC (AG).

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 26-04-2017 Considering the fact that in the LPA filed by the State Government being LPA No. 452/2014, on 07.07.2015 the following interim order has been passed.

“6 07-07-2015 Admit.

Pending further orders, we direct that the Government shall release the amounts of gratuity that were payable to the deceased employee at the ratio of 80% to the second wife and 20% to the daughter through the first wife.

They shall also pay the Family Pension in the



same ratio to the persons referred to above, with effect from 1.8.2015.

The question as to whether the deceased employee was entitled to pension and other amounts, as also the other aspects of the matter, would be dealt at the time of hearing of the Appeal.

(L. Narasimha Reddy, CJ)
(Sudhir Singh, J)”

Now, no case is made out for proceeding further into the matter. The interim order passed by the Division Bench has been complied with and further compliance of the order passed in the Writ Petition is now only possible if the LPA is disposed of. That being so, keeping the matter pending is not called for. The application is disposed of with liberty to the applicant to seek implementation of the order if the LPA is decided.

With the aforesaid, the application stands disposed of.

(Rajendra Menon, CJ)

Dilip, AR

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