

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4916 of 2018

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Rajeshwari Devi, wife of Late Ajab Lal Pandit Neelkushum, aged about 56 years resident of village/mohalla - Tilakpur, P.O. Manjhauli Matihani, P.S. - Belhar, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Higher Education (Education Department), Government of Bihar, Secretariat, Patna.
2. The Principal Secretary, Human Resources Department, Government of Bihar, Secretariat, Patna.
3. The Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Secretary, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. Assistant Secretary (Establishment), Tilka Manjhi Bhagalpur University, Bhagalpur.
6. Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
7. Deputy Secretary, Tilka Manjhi Bhagalpur University, Bhagalpur.
8. Principal, M/S S.S.V. College, Kahalgau.

..... Respondent 1st Set

9. Nirmala Devi @ Nirmala Sah, aged about 45 years, daughter of Hari Prasad Sah, resident of Mohalla - Jogsar, towards Masjid, Budha Nath Road, P.S. - Kotwali, District - Bhagalpur.

.... Respondent 2nd Set

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 29-08-2018

Heard learned counsel for the petitioner; State; T. M.
Bhagalpur University (hereinafter referred to as the 'University')
and respondent no. 9.

2. The petitioner has moved the Court for the following
reliefs:

*“i. Directing the Respondents
University to release at least half of the Death-
cum-pensionary amounts which includes
gratuity, leave encashment, group insurance of*



Late Ajab Lal Pandit “Neelkusum” who was the teacher/professor in S.S.V. College, Kahalgaon and the petitioner being his 1st wife.

ii. Directing the Respondents University to pay the half of the current family pension and half of the arrears of family pension to the petitioner on account of death of said Ajab Lal Pandit “Neelkusum” on 8.11.92.

iii. Any other relief and reliefs which the petitioner may be found entitled to.”

3. The undisputed facts are that the petitioner was the first wife of late Ajab Lal Pandit “Neelkusum” and after getting decree of divorce from her, he had married respondent no. 9. Till date the decree of divorce stands uninterfered with.

4. Be that as it may, the fact remains that the petitioner is not the wife of the deceased employee with effect from 16.04.1988, as per the decree of divorce and that the employee died on 08.11.1992, when the respondent no. 9 was his only wife.

5. In view thereof, the Court finds that the present writ application is totally misconceived and the same stands dismissed.

(Ahsanuddin Amanullah, J.)

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