

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1316 of 2016

In
Civil Writ Jurisdiction Case No.3105 of 2014

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Reeta Devi, W/o Dilip Kumar and D/o Late Rameshwar Prasad Singh,
resident of West Ramkrishna Nagar, Mother Teresa Road, P.O. - New
Jaganpur, P.S. - Ram Krishna Nagar, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar, through the Director-in-Chief Health Department,
Government of Bihar, having its office at Vikas Bhavan, P.S. Sachivalaya,
District - Patna.
2. The Accountant General, Bihar, Patna having its office at Birchand Patel Path,
P.S. - Kotwali, District - Patna.
3. The Treasury Officer, Patna, having his office at Collectorate Compound, P.S.
Pirbahore, District - Patna.
4. The State of Jharkhand, through the Directorate in Chief having its office at
Ranchi, District - Ranchi, Jharkhand.
5. The Accountant General, Ranchi having its office at Henoo, Ranchi,
Jharkhand.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Nilanjan Chatterjee, Advocate
For the State of Bihar	:	Mr. S.D. Yadav, AAG-9
For Accountant General	:	Mr. Kumar Priya Ranjan, S.C.
For State of Jharkhand	:	Mr. Dhruva Mukherjee, Sr. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2018

Heard Shri Nilanjan Chatterjee, learned counsel for
the appellant.

2. The writ petition was filed by the appellant praying
for release of terminal benefits of her late father Rameshwar
Prasad Singh was dismissed on the ground of want of territorial
jurisdiction.



3. This appeal was entertained and the opposite parties were called upon to answer the appeal as the contention was that part of the cause of action with regard to the release of the pension did arise in Patna and, therefore, the writ petition was maintainable.

4. It appears that during the course of the pendency of this appeal good sense prevailed upon the learned counsel appearing for the State of Jharkhand as well as the learned counsel for the State of Bihar and as a result of their noble intervention the matter stands resolved with the extension of the benefits of payment orders to which the appellant was entitled and a communication to that effect was also sent.

5. The affidavits filed, therefore, did indicate that genuine efforts were made for ensuring payment to the appellant and ultimately the Treasury Officer, Patna has issued a letter to the Accountant General with a copy of the same to the appellant calling upon her to furnish five documents for completing of formalities to release payment. The said letter dated 22nd November, 2018 has been placed before us by the learned counsel for the State and a copy of the same has been handed over to the learned counsel for the appellant today in Court itself. The appellant shall comply with the said formalities as



indicated in the aforesaid letter within a period of one week from today and accordingly in view of these developments it is not necessary to enter into the issue relating to territorial jurisdiction or otherwise as gone into by the learned Single Judge.

6. We, therefore, in supersession of the judgment of the learned Single Judge, dispose of this appeal with a direction that the appellant shall furnish the documents as desired and noted above before the competent authority within a week and the Treasury Officer, Patna as well as the Accountant General Office shall both endeavour to ensure the completion of the formalities as also payments within two weeks thereafter.

7. The Letters Patent Appeal stands disposed of accordingly.

(Amreshwar Pratap Sahi, CJ)

(Jyoti Saran, J)

P.K.P./-R.S.Sen

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CAV DATE	
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