

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19276 of 2017

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Jayakala Devi, W/o Late Kailu Muni, R/o Village-Kishanpur Balua, Sakhua
Tola, Dhamdaha, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Department of Home, Bihar, Patna
2. The Chief Secretary, Department of Home Bihar, Patna.
3. The District Magistrate, Purnea.
4. The Sub Division Officer, Dhamdaha, District-Purnia.
5. The Circle Officer, Dhamdaha District-Purnia.
6. The S.H.O. P.S. Dhamdaha District-Purnea.
7. The Superintending of Police, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate
For the Respondent/s : Mr. Dharendra Kumar, AC to GP-5

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. Petitioner is the widow of late Kailu Muni, who was appointed on the post of Chowkidar and regularised on the said post on 10.08.1982. In the year 1991, a criminal case was instituted against the petitioner's husband being Dhamdaha P.S. Case No. 99 of 1991 and the said erstwhile employee was suspended. In the year 2003, suspension was revoked. In the criminal case also, the erstwhile employee had been discharged. However, the husband of the petitioner died on 03.04.2008.

3. The petitioner, who claims to be the legally wedded



wife of the late employee, has prayed for payment of death-cum retiral benefits of the erstwhile employee. The Additional Collector Incharge of the Establishment at Purnea had written letter to the Circle Officer, Dhamdaha bearing No. 1086 dated 06.07.2005 with regard to certain queries so that retiral benefits could be paid to the erstwhile employee. It is submitted that up till now the petitioner had not received any retiral benefits as well as death-cum-retiral benefits.

4. Considering the claim of the petitioner, the petitioner is directed to file a detailed representation before the Circle Officer, Dhamdaha (Respondent No. 5) regarding her claims, which will be disposed of within a period of three months from the date of filing of such representation. Any amount due to the petitioner would be paid within two months thereafter. If certain amounts are inadmissible, the same shall be communicated to the petitioner by passing a speaking order sent through registered post.

5. Writ application stands disposed of accordingly.

(Nilu Agrawal, J)

Rajesh/-

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