

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1854 of 2019

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Khairu Nisha, W/o Alam Gir Ansari @ Mohammad Alamgir, Resident of
Village- Nonsari, P.S. Gadh Nokha, District- Rohtas ... Petitioner

Versus

1. The State Of Bihar through Principal Secretary, Department of Water Resource (Laghu), Govt. of Bihar, Patna.
2. Joint Secretary, Department of Water Resource (Laghu), Govt. of Bihar, Patna.
3. Deputy Secretary, Department of Water Resource (Laghu), Govt. of Bihar, Patna.
4. Executive Engineer, Laghu Sinchai Pramandal- Kaimur, Mohania.
5. Assistant Engineer Laghu Sinchai Sub Division Bhabua, District- Kaimur
... Respondents

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Appearance :

For the Petitioner : Mr. Ranjay Kumar Patel, Adv.
For the Respondents : Mr. Vinay Kriti Singh, GA II

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

Petitioner's husband retired from the post of Pump
Khalasi with effect from 31.01.2016 and died on 20.07.2017.
The petitioner claims the Contributory Provident Fund which
was deducted along with penal interest from June, 1984, to
August, 1992, which was payable to the petitioner's husband. It
has been submitted by the learned counsel for the petitioner that
similar situated person, namely, Braj Mohan Singh, has received
his Contributory Provident Fund amount, who had filed writ
application being C.W.J.C. No. 7205 of 2013, which was
allowed by the order, dated 28.01.2014. He submits that as per
the Bihar Litigation Policy, similar circumstanced persons, have



to be treated similarly.

Considering the nature of the claim, made by the petitioner, the petitioner is granted liberty to file a representation to the Executive Engineer, Laghu Sinchai Pramandal, Kaimuar, Mohania, respondent no. 4, which will be disposed of within a period of three months from the date of filing of the representation. Any amount due to the petitioner will be paid within one month thereafter. If certain amounts are inadmissible, the same shall be communicated to the petitioner by a speaking order sent through registered post.

The writ application is **disposed of**, accordingly.

(Nilu Agrawal, J)

Shamshad/-

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