

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5904 of 2019

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Rajbansi Devi W/o Late Radhe Shyam Ray Res. of Vill.- Borbara, P.O.-
Unsar, P.S.- Bonchaha , Block- Bonchaha, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Education Department, Bihar Patna.
3. The Regional Deputy Director of Education Tirhut Division, Muzaffarpur.
4. The District Education Officer Muzaffarpur.
5. The District Program Officer (Establishment), Muzaffarpur.
6. The District Provident Fund Officer Muzaffarpur.
7. Phool Kumari Devi 2nd Wife of Late Radhe Shyam Ray Res. of Vill.-
Borbara, P.O.- Unsar, P.S.- Bonchaha, Block- Bonchaha, Distt.-
Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nalin Kumar, Advocate
For the Respondent/s	:	Mr. Narendra Kumar, A.C. to G.P. 20
For Respondent 7	:	Ms. Rekha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondents.

Petitioner is aggrieved by the order passed by the
Principal Secretary, Education Department in Memo No. 1106,
dated 13.06.2017. The Principal Secretary, on consideration of
the disputed position of fact, has held out that the parties may
approach the competent court for declaration as to the first wife
and on such declaration the Education Department shall grant
the post-retiral benefits.



Considering the reason assigned for passing the order, the Court is not inclined to entertain this writ application and enter into the thickets of facts. However, for early disposal of the dispute the parties are directed to approach the Court below where the title suit no. 303 of 2018 is pending. The Court below is directed to decide the title suit on day to day basis at the earliest, preferably within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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