

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8911 of 2015**

Prakash Chandra Mishra

... .. Petitioner

Versus

The State Of Bihar and Ors

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Poddar Suresh Gandhi, Advocate  
For the State : Mr. Auj Kumar, AC to SC-12

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      11-09-2019                      I. A. No. 1777 of 2016 has been filed by wife of the petitioner with a prayer for substitution in view of the demise of the original petitioner on 14.12.2015. The claim in the writ petition is in relation to grant of exemption from acquiring computer proficiency.

If the relief is to be granted, increments would be given to the wife of the original petitioner which have not been granted since petitioner has not acquired computer proficiency. Substitution application is allowed.

Office is directed to substitute the name of the wife of the petitioner in the writ records in place of original petitioner.

Counsel for the petitioner has drawn attention of the court towards the communication, dated 06.01.2015, sent by the District Statistical Officer, Bhagalpur to the Deputy Director (Establishment Branch), Earth and Statistics Department, Bihar, Patna, in which petitioner had been recommended for exemption from acquiring computer proficiency along with



details as per service book of the petitioner for further action in this regard.

In view of the aforesaid circumstances, no issue remains for adjudication as it is now for the Deputy Director (Establishment Branch), Earth and Statistics Department, Bihar, Patna, to take final decision as per the recommendation, dated 06.01.2015 (Annexure-2) sent by the District Statistical Officer, Bhagalpur.

The writ petition is, therefore, disposed of with direction to the respondent no 2 to take a final decision expeditiously and without undue delay.

The claim is now in respect to the entitlement to widow of the deceased employee. This court would, therefore, direct that the final decision on the communication dated 06.01.2015 should be taken by the respondent no. 2 within eight weeks from the date of receipt/production of a copy of this order. The financial benefits, if any, accruing in favour of the original petitioner should be paid to the widow within one month thereafter.

The writ petition is disposed of.

**(Madhuresh Prasad, J)**

Rajeev Kumar/-

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