

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8770 of 2019**

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1. Garima Kumari, D/o Late Devbrat Sharma, Resident of Maurya Vihar Colony, Near D.A.V. School, Transport Nagar, P.S. Agamkuan, District Patna.
  2. Gaurav Sharma, Son of Late Devbrat Sharma, Maurya Vihar Colony, Near D A V School, Transport Nagar, P.S. Agamkuan, District Patna.
  3. Gargi Kumari, D/o Late Devbrat Sharma, Maurya Vihar Colony, Near D A V School, Transport Nagar, P.S. Agamkuan, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
3. The Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
4. The Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
5. The Principal, Deochand College, Hazipur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Rakesh Kumar Chandram, Advocate |
| For the Respondent/s | : | Mr. Jitendra Kumar Roy (SC-13)      |
| for the University   | : | Mr. Zaki Haider, Advocate           |

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      15-05-2019                      Heard learned counsel for the petitioners, learned counsel for the State and learned counsel appearing on behalf of Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur (hereinafter referred to as the University).

2. Petitioners are the son and daughters of the late employee Devbrat Sharma, who died in harness on 29.08.2010 while posted as Lecturer. Earlier a writ application being CWJC



No. 7407 of 2018 was filed before this Court, which was settled by way of an award by the Lok Adalat held in this Court on 14.07.2018 wherein in terms of the settlement the University was ready to make payment of the admitted dues in accordance with law within a period of six weeks. In the said writ application only Garima Kumari(petitioner no. 1 herein) was the petitioner, whereas petitioner nos. 2 and 3 were respondent nos. 6 and 7. Now the present writ application has been filed wherein all the three son and daughters of the late employee Devbrat Sharma have joined hands and claim death cum retiral benefits of their father, the late employee.

3. A counter affidavit has been filed on behalf of the University stating therein that due to non-availability of service book, pension book, succession certificate, bank account, details of legal heirs, the death cum retiral benefits of the late employee Devbrat Sharma could not be processed.

4. An award had been passed in the earlier round of litigation by the Lok Adalat held in this Court wherein in terms of the award the University agreed to pay the admitted dues and now a different plea is being taken after a settlement has been reached with petitioner no. 1. Since now, the son and daughters of the late employee Devbrat Sharma have joined hands, the



University, especially the Registrar of the University, Respondent No. 4, is directed to make payment of the entire death cum retiral benefits of the late employee Devbrat Sharma to the petitioners after obtaining a bond with regard to statement that they are the only legal heirs of the late employee within a period of three months from the date of receipt/ production of a copy of this order.

5. Writ application stands disposed of accordingly.

**(Nilu Agrawal, J)**

Rajesh/-

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