

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.460 of 2018

In

Civil Writ Jurisdiction Case No.13961 of 2016

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Kumar Murlidhar, Son of Late Sachidanand Singh, Resident of Village-
Kasba, P.S.- Bakhtiyarpur, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Old Secretariat, Patna.
2. The Principal Secretary, Department of Home, Old Secretariat, Patna.
3. Inspector General of Police, Patna Region, Patna.
4. Inspector General of Police, Head Quarter Bihar, Patna.
5. The Deputy Inspector General of Police, Champaran, Region at Bettiah.
6. The Superintendent of Police, East Champaran at Motihari.
7. The Sub-Divisional Police Officer-cum-Deputy Superintendent of Police, Motihari Sadar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Verma, Adv.
For the Respondent/s : Mr. P.K. Verma, AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 19-11-2019 The instant appeal has been filed for following
relief(s):-

“It is, therefore, prayed that your lordships may graciously be pleased to admit this appeal, issue Rule NISI, if any asking show-cause from the respondent concerned as to why not the prayer made in the present letters patent appeal be granted in favour of



the petitioner-appellant and after hearing the party or parties be further pleased to set aside the order dated 17.11.2017, passed by Hon'ble Mr. Justice Ajay Kumar Tripathi in connection with C.W.J.C. No. 13961/2016 to the extent it speaks for modifying the earlier order passed by him in C.W.J.C. No. 309/2012 with defining his earlier order given in context of salary to be read for pension with substituting the word "salary" to "Pension" for the ends of justice."

The appellant has had the luxury of having two wives, for which obviously he has to pay cost, which at one point of time, he offered 50% of his salary to one of his wives.

The learned Single Judge, in his considered view, has rightly held the said wife entitled to pension in the same proportion after the appellant having demitted the office.

Accordingly, the instant appeal stands dismissed.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

Anil/Amrendra

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