

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4626 of 2017**

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Saviha Bano, D/o Late Raji Khan, R/o Mohalla - Kagzi Mohalla, P.S. Bihar Sharif, District – Nalanda

... Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate - Cum - Collector, Nalanda
3. The Deputy Collector, Nalanda at Biharif
4. The Additional Collector, Nalanda at Biharsharif
5. The District Provident Fund Officer, Nalanda at Biharsharif
6. Md. Basi Khan, S/o Late Raji Khan Kagzi Mohalla, P.S. Biharsharif, District - Nalanda
7. Md. Javed Khan, S/o Late Raji Khan Kagzi Mohalla, P.S. Biharsharif, District - Nalanda

... Respondent

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**Appearance :**

For the Petitioner : Mr. Binit Kumar  
For the Respondents : Mr. Satya Prakash, AC to SC XXII

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

3      29-03-2019                      Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

Petitioner is the daughter of late Raji Khan, who died while in service on 05.12.2015 as Driver in the office of respondent no. 3, the Deputy Collector, Nalanda at Biharsharif. The petitioner and two brothers, Md. Basi Khan and Md. Javed Khan, are the only surviving heirs as the mother Sabra Khatoon died earlier on 19.06.2009. A supplementary affidavit has been filed in which Annexure 3 is the joint affidavit of the two brothers of the petitioner, but, paragraphs 5 and 6 are in contradiction to each other.



Considering the nature of claim and that the two brothers of the petitioner have been impleaded as respondents 6 and 7 to the present writ application, this writ application is **disposed of** with a direction to the petitioner to approach the respondent no. 2, the District Magistrate-cum-Collector, Nalanda at Biharsharif, along with the other legal heirs, respondents 6 and 7, along with the affidavit declaring payment/partitioning the death-cum-retiral benefits of the late employee, which will be disposed of by the respondent no. 2 within a period of four months from the date of filing of such representation. If certain amounts are admissible, the same shall be paid to the petitioner and other legal heirs within a period of two months, thereafter.

**(Nilu Agrawal, J)**

Shamshad/-

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