

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.273 of 2018

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Vidya Devi Wife of Late Chandradeo Singh, Resident of Village-Amrour, P.S. Singhoul, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Vaishali at Hajipur, District-Vaishali at Hajipur.
5. The Treasury Officer, Vaishali at Hajipur, District-Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate Mrs. Anita Kumari, Advocate Mr. Kislay Raj, Advocate Mr. Awnish Kumar, Advocate
For the State	:	Mr. Prabhakar Jha, GP-27 Mr. Umesh Narayan Dubey, AC to GP-27

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 07-05-2019 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

2. Petitioner is the widow of late Chandradeo Singh, who retired from service on 31.12.1997 and died in the year 2008. She has filed the present writ application claiming interest on the amount of retiral dues of the petitioner and her husband for the delay in settling the retiral benefits.

3. Learned counsel for the State has filed a



counter affidavit stating therein that the matter was earlier adjudicated by this Court and this Court in CWJC No. 13017 of 2008 had decided the matter on 04.09.2014 that since it was a case of two wives an appropriate declaration was directed to be obtained from the civil Court of competent jurisdiction. It is further stated that after the matter was decided by an award granted by the Lok Adalat, Begusarai in PLA Case No. 73 of 2011 wherein a compromise was reached between the 1st and 2nd wife and on the application of the petitioner dated 03.08.2012 the petitioner is not entitled to interest on retiral benefits of her late husband and also interest on benefits accruing to her.

4. Considering the nature of claim as prayed by the writ petitioner, this writ application is disposed of directing the District Education Officer, Vaishali at Hajipur (Respondent No. 4) to pay the statutory and admissible interest on delayed payment of the retiral dues of the husband of the petitioner to be divided as per the compromise as reached by an Award of the Lok Adalat, Begusarai as well as the admissible interest to the petitioner within a period of two months from the date of receipt/production of a copy of this order. A calculation would also



be provided to the petitioner with regard to admissible
statutory interest on delayed payment.

(Nilu Agrawal, J)

Rajesh/-

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