

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14967 of 2019

Pratima Kumari W/o Dr. Vikash Chandra Verma resident of House No.693,
Jay Prakash Colony, Ward No.16, Chandwara, Nawab Road, Barhanpura,
Dist.Muzaffarpur, Pin Code 842001(Bihar)

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Health Services, Department of Health and Family Welfare, Govt. of Bihar, Patna
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna
4. The Director, Health Services, Department of Health and Family Welfare, Govt. of Bihar, Patna
5. The Joint Director, Health Services, Department of Health and Family Welfare, Govt. of Bihar, Patna
6. The Accountant General (A and E), Mahalekhakar Bhawan, Near R-Block Roundabout, Bir chand Patel Path, PO G.P.O., Dist. Patna (Bihar)

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Munna Pd Dixit (M.P. Dixit), Advocate Mr. S.K. Dixit, Advocate Mr. Sanjay Kumar Chaubey, Advocate Ms. Swastika, Advocate Mr. Shailendra Kumar, Advocate
For the Respondent/s	:	Mr. Mujtabul Haque (GP12)
For the Respondent No.6	:	Mr. Manish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 31-07-2019

Heard the learned counsel for the parties.

2. The petitioner is the widow of an employee
who was appointed as Medical Officer on 08.07.1981.

3. It has been submitted that the late husband of
the petitioner fell ill on 04.04.2008 and was under
treatment in Rajeshwar Hospital till 13.07.2008.



Thereafter, the husband of the petitioner joined the duty. It has been submitted that the respondents, in an unauthorized manner, credited only 228 days of earned leave for making payment to the petitioner as the widow of the employee, even though, the leave would come to around 335 days out of which the petitioner ought to be paid for the maximum number of days as earned leave. The regularization of the period for which the husband of the petitioner was under treatment, as sick period has already been recommended by the authorities.

4. However for reasons best known to the respondents, the same is not being credited in the account of the husband of the petitioner and therefore the petitioner is not getting the requisite amount of earned leave to which he is entitled.

5. Several representations preferred by the petitioner have gone unheeded as yet.

6. Regard being had to the fact that the petitioner is a widow and her claim ought to be considered and



disposed of in accordance with law, this Court directs the petitioner to make a fresh representation, detailing her grievances and indicating the details of the payment which is due to her, before the Principal Secretary, Health Services, Department of Health and Family Welfare, Government of Bihar, Patna (respondent no. 2) within a period of four weeks, who after verifying the facts, shall pass a reasoned order in accordance with law within a period of eight weeks thereafter. If the claim of the petitioner is found to be tenable, necessary sequel order shall be passed/caused to be passed by the concerned respondent within the aforesaid period.

7. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2019
Transmission Date	

