

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5407 of 2017

Ashok Kumar, adopted son of Late Naseeb Narayan Sharma, Resident of Village - Madaripur, P.O. - Sidhipur, P.S. - Khirimore, (Paliganj), District - Patna Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Minor Irrigation, Government of Bihar, Patna.
4. The Chief Engineer, Minor Irrigation, Bihar, Patna.
5. The Executive Engineer, Minor Irrigation Patna Division, Patna.
6. The Director, Provident Fund, Bihar.
7. The District Provident Fund Officer, Patna.
8. The Accountant General (Bihar), Veer Chand Patel Path, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Tiwary
For the Respondent/s	:	Mr.Anirban Kundu- Sc24
For the Acctt. Gen.	:	Mr. Raghwanand, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT

Date : 02-05-2019

Heard learned counsel for the parties.

2. The petitioner claims to be adopted son of deceased employee Naseeb Narayan Sharma, who died in harness on 12.01.2000 while working as Pump Operator under the control of respondent no. 5, Minor Irrigation, Patna Division. He is seeking death-cum-retiral dues of the deceased employee on the basis of Anenxure-3, which appears to be a declaration made by the deceased employee in the year 1985 stating therein that the writ petitioner was adopted by him before the Mukhiya and he



was entitled to be given all the properties of the deceased employee. On the basis of this declaration, petitioner has filed the present writ application claiming the dues of the deceased employee from the State Government.

3. Learned counsel appearing on behalf of the State submits that letter dated 08.09.2000 as well as 12.06.2017 were issued by the concerned Executive Engineer, Minor Irrigation to the writ petitioner requesting him to bring succession certificate to enable the authority to decide the death-cum-retiral benefits of the deceased employee, but no such succession certificate has been brought on record by the writ petitioner.

4. Upon this, learned counsel for the petitioner submits that he is ready to bring the succession certificate from the competent authority of civil jurisdiction.

5. Let him do so. If such certificate is produced by the writ petitioner, the State may consider the claim of the writ petitioner in accordance with law. The writ application is accordingly disposed of.

(Anil Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

