

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16468 of 2019

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Baleshwar Jha S/o Sri Hari har Jha R/o- Village- Thikaha, Bhualapur urf Bahadurapur, Anchal- Bhagwanpur, P.O. and P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Represented through Principal Secretary, Department of Health, Bihar, Patna.
2. The Director Department of Health Services, Bihar, Patna.
3. The Civil Surgeon cum Chief Medical Officer Vaishali at Hajipur.
4. The In-Charge Medical Officer Primary Health Centre Goraul, Vaishali.
5. The Accountant General Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate
For the Respondent/s : Mr. Pankaj Kumar (SC-12)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-08-2019 Heard the counsel for the parties.

The petitioner seeks a direction to the respondents to add the name of Sudha Devi, his second wife as his nominee.

The petitioner has brought to the notice of this Court that during the subsistence of his marriage with his first wife, viz. Suryamukhi Devi he contracted marriage with Sudha Devi after having obtained consent from his first wife.

Contracting marriage during the subsistence of



an earlier marriage is impermissible and hence such marriage is void in the eyes of law. The impact of the aforesaid would be that Sudha Devi would not be recognized as the nominee of the petitioner and therefore she will not be entitled to any other benefits as the wife of an employee.

On such exposition of fact and observation of the Bench, learned counsel for the petitioner sought permission to withdraw this petition.

Permission is accorded.

The petition is dismissed as withdrawn with the liberty to the petitioner to pursue his remedies before the appropriate authority, if so advised.

(Ashutosh Kumar, J)

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