

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2259 of 2018

In
Letters Patent Appeal No.1130 of 2015

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Tara Devi Wife of Late Shashi Bhushan Singh, Resident of Village - Karnauti,
P.O. - Karnauti, Police Station - Bakhtiyarpur, District - Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. Mr. Arvind Kumar Verma, the Director Primary Education, Department of Education, Govt. of Bihar, Patna
3. Mr. Kumar Sahjanand, the Regional Deputy Director of Education, Patna Division, Patna.
4. Mr. Omprakash, the Programme Officer Establishment, District- Education Officer, Office Bhojpur at Ara
5. Mr. Anand Kishore, The Commissioner, Patna Division, Patna.
6. Mr. Dr. Nilotpal Goswami, the Accountant General of Bihar, Patna.
7. Mr. Sri Ptatap Bhanu, the Treasury Officer, Bhojpur at Ara.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar, Advocate
For the Opposite Party/s	:	Mr.Shrimati Shilpa Singh, GA 12
For AG	:	Mr. Satyendra Kumar Jha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

- 9 26-06-2019 This application arises out of a claim for terminal dues that was payable to the applicant and after having thrashed out the facts in detail on 13th February, 2019 and again on 20th February, 2019, we had called upon learned counsel for the State to come up with an appropriate affidavit whereupon the matter was taken up on 17th April, 2019 when we directed that the discrepancies pointed out by the learned counsel for the



applicant should be appropriately corrected and an affidavit be filed.

It is in compliance of the aforesaid three orders that an affidavit has been filed by the learned counsel for the State today enclosing therewith a photostat copy of the Bank Draft, the original whereof has been handed over to the learned counsel for the applicant in the Court itself today. The applicant will be entitled to encash the same and we further direct that any other formalities that are to be executed in this regard shall be concluded including the issuance of an appropriate receipt by the applicant in favour of the competent authority.

Learned counsel for the applicant, however, submits that the calculation does not appear to be accurate and therefore, the applicant may find difficulty in future transactions as well as the release of appropriate orders from the Accountant General office.

The applicant can always represent before the Accountant General in this regard and the Accountant General shall issue the necessary authority letter for release of the amounts to which the applicant is entitled but shall not delay the issue of passing the orders only on account of the missing of service book of the deceased employee and shall proceed on the



strength of such documents that are supplied by the State of Bihar including the pension payment orders etc.

We are issuing this direction keeping in view the fact that the matter has been lingering in a legal battle for long and therefore, the orders are to be issued urgently in order to avoid any future inconvenience to the applicant who is otherwise entitled to the payments being the widow of the deceased employee. The Accountant General shall issue orders within three weeks from the date of the production of certified copy of this order.

This appeal stands disposed of accordingly without prejudice to any other rights of the appellant.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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