

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6331 of 2015

Divya Verma, Daughter of Dr. R.L. Verma ,at present resident of Mohalla -
Krishna Dwarika, P.O. Chandchaura, P.S. Civil Lines, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
3. The District Magistrate, Gaya
4. The District Programme Officer (Establishment), Gaya
5. The District Education Officer, Gaya
6. The Officer on Special Duty, Confidential Section, Collectorate, Gaya
7. The Deputy Collector (Trainee), Gaya
8. The Block Development Officer, Tekari, District - Gaya
9. The Block Education Officer, Tekari, District - Gaya
10. The Panchayat Secretary, Gram Panchayat, Maw, Prakhand - Tekari, District - Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Birju Prasad

For the Respondent/s : Mr.Arvind Kumar No. 1, SC-13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

8 02-09-2019 Heard learned counsel for the petitioner and the respondents.

Having regard to the 4th Supplementary Counter Affidavit filed on behalf of respondent no.4, wherein the District Programme Officer (Establishment), Gaya in most unequivocal term admitted the fact that Rajani Kumari died and the police has also submitted charge-sheet indicating that Rajani Kumari is dead.

Annexure-16, which was the letter for non-payment of



salary of Divya Verma (petitioner) on termination has lost its significance. The relevant part of para 5 of the 4th Supplementary Counter Affidavit filed on behalf of respondent no.4 is quoted herein below:

“5. That furthermore, it was in keeping with the communication dated 22.08.2019 sent by the Learned State Counsel No.20 in this regard, that vide letter No. 2371 dated 29.08.2019, the concerned Panchayat Secretary, Gram Panchayat Maw, had also been apprised with the developments, right from the initial termination of the petitioner made by the Panchayat Secretary Maw in the year 2015 and thereafter investigation by the police submitting charge sheet and also the verifications of records made by the competent authorities at different levels, which had taken place in connection with the issue in question, and in such given circumstances had also been requested to do the needful in the matter, particularly keeping in view of the death certificate in the name of Rajni Kumari and the charge sheet submitted by the police stating Rajni Kumari dead.”

In view of the aforesaid, Annexure-16 is hereby quashed. The writ application is allowed and the respondents are directed to reinstate the petitioner with all consequential benefits treating the petitioner all through in service, as if Annexure-16 never exist.

Necessary consequential benefits must be extended to



the petitioner at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

Personal appearance of the District Programme Officer (Establishment), Gaya as well as Panchayat Secretary, Gram Panchayat Maw, Prakhand-Tekari, Gaya is dispensed with.

This application is allowed and disposed of.

(Anil Kumar Upadhyay, J)

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