

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4162 of 2017

Mostt. Tara Pashi W/o Late Dulal Chandra Pasi, R/o Village Gourisail, P.O. Gangsara, P.S. Gangapur, District- Nadia, West Bengal.

... .. Petitioner/s

Versus

1. The Union Of India
2. General Manager's Office, Public Grievance Cell, Eastern Railway, Kolkatta.
3. The Chief Personnel Officer, East Central Railway, Hajipur, Bihar.
4. The Senior Personal Divisional Officer, Eastern Railway, Sealdah Division, Sealdah, Kolkata- 700001
5. Divisional Railway Manager, Eastern Railway, Sealdah, Kolkatta- 700001.
6. The Senior Divisional Finance Manager, East Central Railway, Hajipur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rewti Kant Raman
For the Respondent/s	:	Mr.Anil Kumar Sinha
For the Railway	:	Mr. Abbas Haider
		Mr. Wasi Mohammad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 24-07-2019 The present writ petition has been filed for grant of death-cum-retiral benefits to the petitioner who is widow of deceased employee Dulal Chandra Pasi.

The learned counsel for the respondents, referring to the counter affidavit filed in the present case, has submitted that the husband of the petitioner was absent from duty in an unauthorized manner with effect from 23.11.1980 during his probation period without any intimation to the authorities and despite repeated calls and notices sent to him, he failed to



appear and join his services, hence the husband of the petitioner was discharged from service, having been found to be unsuitable to be retained in the R.P.F. It is further stated that the services of the husband of the petitioner was terminated with effect from 01.09.1991 vide order dated 27.08.1991. Thus, it is submitted that neither the petitioner is entitled for any death-cum-retiral dues nor she is entitled for grant of appointment on compassionate ground.

Despite several opportunities having been granted to the petitioner to file rejoinder affidavit, no rejoinder affidavit has been filed, obviously because the petitioner does not have any answer to the stand taken in the counter affidavit by the respondents.

Having regard to the facts and circumstances of the present case and considering the fact that the petitioner had stood terminated in the year 1991 itself, there is no merit in the present writ petition, hence the same is dismissed.

(Mohit Kumar Shah, J)

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