

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23042 of 2019

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Usha Devi, aged about 50 years (Female), Wife of Late Sant Gyaneshwar
Choudgary, Resident of Village Baikathpur, P.S.-Khusurupur, District-Patna

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Patna Municipal Corporation, Patna through its Municipal Commissioner, Maurya Lok, Block-C, Patna-800001 on behalf of Patna Regional Development Authority, Patna (dissolved).
3. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, Block-C, Patna-800001.
4. The Additional Municipal Commissioner, Patna Municipal Corporation, Patna.
5. The Finance and Accounts Controller, Patna Municipal Corporation, Maurya Lok, Block-C, Patna-800001.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Amaresh Kumar Sinha, Advocate
For the State : Mr. Suresh Kumar, AC to GP 1

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 29-11-2019

Heard learned counsel for the petitioner; learned AC to GP 1 for the State and learned counsel for the Patna Municipal Corporation (hereinafter referred to as the 'Corporation').



2. The petitioner has moved the Court for the following reliefs:

“That this writ petition is being filed for issuance of appropriate writ or writs, order or orders, directions and thereby to issue a writ in the nature of mandamus to command the respondents concerned to pay the entire post retiral dues, differential amount of pay in light of 5th and 6th pay revision, differential amount with respect to 1st and 2nd ACP and differential amount of pay anomaly from 01.04.2010 to 2010 along with interest admissible to the husband of the petitioner.”

3. The husband of the petitioner died in harness on 09.11.2015. It is her grievance that the entire death cum retiral benefits have not been paid to her.

4. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the writ petition with liberty to file a detailed representation before the respondent no. 2 which be considered and order passed expeditiously.

5. In view thereof, the application stands disposed off with liberty to the petitioner to file a detailed representation with regard to her dues which according to her, have still not been paid. If such a representation is filed within four weeks from today, the respondent no. 2 shall get the matter verified and pass a reasoned order within six weeks from the date of filing of the representation.



If anything is found due and payable to the petitioner, the same shall also be paid to her within four weeks from the date of passing of the order.

(Ahsanuddin Amanullah, J)

Vikash/Ranjit

AFR/NAFR	
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