

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3151 of 2020

Prabha Chaturbedi, wife of Ramesh Chandra Chaturbedi, Daughter of late Gauri Shankar Ojha, through her mother next friend namely, Bhagyamani Devi, aged about 87 years (Female) resident of quarter No. C/28, Patrakar Nagar, P.S.- Kankarbagh, District and Town- Patna. Presently residing at Quarter No. B/154 Peoples Co- operative Colony, P.S.- Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, State of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Accountant General, Government of Bihar, Patna.
5. The Treasury Officer, Patna (Bihar).
6. The Vice-Chancellor, Patliputra University, Bihar, Patna.
7. The Registrar, Patliputra University, Bihar, Patna.
8. The Finance Officer, Patliputra University, Bihar, Patna.
9. The Principal, B.D. Evening College, Mithapur, Patna.
10. Mr. Ramesh Chandra Chaturbedi, son of Hira Prasad Chaturbedi, resident of Quarter No. C/28 Patrakar Nagar, P.s.- Kankarbagh, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh
For the Respondent/s : Mr.Madhaw Prasad Yadav (Gp23)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard the parties.

Following reliefs have been sought for in paragraph 1 of the present application:



“1(i) For issuance of writ in the nature of mandamus for directing the responsible respondent authorities to consider and give all legal rights as well as the adequate and appropriate amount to Prabha Chaturbedi and her mentally challenged son from all retiral benefits of respondent no. 10, who is legally wedded husband of Prabha Chaturbedi.

(ii) For issuance of writ in the nature of mandamus for directing the responsible respondent authorities not to release the retiral benefits of respondent no. 10 until to give the adequate and appropriate share/amount from all retiral benefits of respondent no. 10 to the petitioner for survival of his legally wedded wife namely, Prabha Chaturbedi and his only one son namely, Abhinay Kumar, who is mentally challenged person.

(iii) For staying the operation of the action/omission with respect to release of all retiral benefits of respondent no. 10, who has been retired from his services on 30th July, 2019 from the post of Professor (Hindi Department), B.D. Evening College, Patna.

(iv) For any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”

Learned counsel for the petitioner seeks permission of the Court to file a representation before the respondent no. 6 for the redressal of her grievance.

Permission is granted.

In case, any such representation is filed, the respondent no. 6 shall consider the representation of the petitioner and pass an appropriate order in accordance with law, within a period of four



months from the date of filing/making of such representation.

With the aforesaid observation/direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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