

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16405 of 2017

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Lakshmi Devi wife of Late Jamuna Ram resident of Village - Gajadharganj,
Buxar, Ward No. 11, Police Station - Sarimpur Buxar, District - Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The Deputy Development Commissioner, Buxar.
6. The Chairman, Nagar Parishad, Buxar.
7. The Chief Executive Officer, Nagar Parishad, Buxar.
8. The Regional Provident Fund Officer, Employees Provident Fund Organisation, R - Block, Road No. 6,
9. The Assistant Provident Fund Officer, Employees Provident Fund Organisation, R - Block, Road No. 6,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jagdish Prasad, Advocate
For the Respondent/s : Mr.Kinkar Kumar -SC 9

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 28-05-2020

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant writ application for directing the respondents to make payment of retiral benefits like provident fund amounts deducted from the salary of her husband, family pension and other consequential monetary benefits including the dues of the husband of the petitioner arising from grant of Assured Career Progression ('ACP' in



short) etc, while he was in service and other dues admissible under law.

3. At the outset, it is submitted by learned counsel for the petitioner that the instant writ application may be disposed off in terms of the order dated 27.5.2020 passed in C.W.J.C no. 16548 of 2017 (Suraj Basfor vs. the State of Bihar and Ors) which was disposed off with a direction to the Chief Executive Officer, Nagar Parishad, Buxar to pay all the retiral dues of the petitioner within four months from the date of receipt of the order.

4. The case of the petitioner is that while her husband working as Safai Karmchari under Nagar Parishad, Buxar, he retired on 31.12.2011 on attaining the age of 60 years. After retirement the husband of the petitioner approached the authorities of the Nagar Parishad several times for payment of his retiral benefits but nothing was paid.

5. A counter affidavit has been filed on behalf of the respondent no. 3 and a separate counter affidavit has been filed on behalf of the respondent nos. 8 and 9. No counter affidavit has been filed on behalf of the Nagar Parishad, Buxar. In the counter affidavit filed on behalf of the Principal Secretary, Urban Development Department, Government of Bihar, it has been stated that the custodian of records is the Nagar Parishad,



Buxar and so far as he is concerned, he is a formal party.

6. Having heard learned counsel for the parties, this writ application is disposed off in terms of the order dated 27.5.2020 passed in C.W.J.C. no. 16548 of 2017 (Suraj Basfor vs. the State of Bihar and Ors). The Chief Executive Officer, Nagar Parishad, Buxar is directed to pay to the petitioner all the retiral dues of her deceased husband within a period of four months from the date of receipt of this order and if any amount is found not payable, reasons thereof shall be communicated to the petitioner in writing within the aforesaid period.

7. The writ application stands disposed off with the aforesaid directions.

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

