

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10916 of 2019

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Meena Devi W/o Late Suresh Prasad Resident of Kalibari Road, P.S.-
Mithanpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. North Bihar Power Distribution Company Limited Bidyut Bhawan, Bailey Road, Patna.
2. The Deputy General Manager, (Administration), North Bihar Power Distribution Company Limited, Bidyut Bhawan, Bailey Road, Patna.
3. The Electricity Board, Kalyani Sub Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-06-2020 Heard learned counsel for the parties.

The claim of the petitioner relates to grant of family pension.

Mr. Vinay Kirti Singh, learned senior counsel appearing for the North Bihar Power Distribution Company Limited (NBPDCCL) submits that the claim of the petitioner is totally misconceived. The alleged husband of the petitioner, who retired on 31.05.2004, never mentioned the name of this petitioner as his wife. Now the petitioner claims that she is second wife of late employee. There is no evidence to show that the petitioner was married with the deceased employee. The employee was alive up to 2018 and received pension. Only after



14 years of retirement of the late employee the petitioner has raised claim that being the second wife, she is entitled to family pension.

Mr. Vinay Kirti Singh, learned senior counsel appearing for the NBPDCCL has submitted that the petitioner has not impleaded as party to the present writ petition the children of the first wife and other legal heirs of the deceased employee.

Under the aforesaid circumstances, it is difficult for this Court to issue any positive direction. However, liberty shall be available to the petitioner to obtain succession certificate from the Court of competent jurisdiction and only thereafter the petitioner may approach the competent authority for determination of her claim for payment of family pension.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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