

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7568 of 2018

=====

Mosst. Zarina Khatoon, Wife of Late Md. Hafiz, Resident of Hayapur, Ward
No. 15, Post- Chanerdai, P.S.- Araria R.S., District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Bihar, Patna.
2. The Engineer-in-Chief- cum-Special Secretary, Public Health Engineering Department, Bihar, Patna.
3. The Chief Engineer, (Mechanical) Public Health Engineering Department, Bihar, Patna.
4. The Superintending Engineer, Public Health Engineering, Circle, Purnea.
5. The Executive Engineer, Public Health Division, Araria.
6. The Treasury Officer, Araria.
7. The District Account Officer, Purnea.
8. The Accountant General (A & E), Bihar, Patna.

... .. Respondent/s

=====

With
Civil Writ Jurisdiction Case No. 10159 of 2019

=====

Mostt. Shaili Devi (Female age about 52 years), wife of Late Rabindra Prasad
Singh, resident of village- Sahjadpur, P.O.- Laxmipur, P.S.- Barahiya, Dist.-
Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, State of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Engineer-in- Chief- cum- Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
5. The Chief Engineer (Mechanical), P.H.E.D., Govt. of Bihar, Patna.
6. The Superintending Engineer, Public Health Engineering Circle, Begusarai.
7. The Superintending Engineer, P.H. Engineering Circle, Munger.
8. The Executive Engineer, Public Health Division, Lakhisarai.
9. The Executive Engineer, Public Health Division, Sheikhpura.
10. The Accountant General, (A & E) Bihar, Patna.

... .. Respondent/s



Appearance :

(In Civil Writ Jurisdiction Case No. 7568 of 2018)

For the Petitioner/s : Mr. Siyaram Pandey, Advocate

For the Respondent/s : Mr. Arvind Ujjwal, SC 4

Mr. Upendra Pratap Singh, AC to SC 4

For Accountant General : Mr. Raj Nandan Prasad, Advocate

(In Civil Writ Jurisdiction Case No. 10159 of 2019)

For the Petitioner/s : Mr. Siyaram Pandey, Advocate

For the Respondent/s : Mr. S. Raza Ahmad, AAG 5

Mr. Vishambhar Prasad, AC to AAG 5

For Accountant General : Mr. S. M. Ehtesham, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 04-02-2020

Heard learned counsel for the parties.

2. In both the cases, the issue is the same i.e., whether the employee, who dies in harness working in the work charge establishment and also reverted to daily wages status, having worked for more than 10 years, his heirs would be entitled to family pension and gratuity.

3. Pursuant to the orders of the Court, further counter affidavit has been filed on behalf of the authorities bringing on record the resolution of the government in the Finance Department, bearing No. 512 dated 17.01.2000, by which benefit of pension and gratuity has been extended to such persons, who either retired or died in harness.

4. The petitioners in both the cases are the widows of such employees, who died in harness.

5. Learned counsel for the State submitted that they being covered by such resolution of the State Government, have



been paid Family Pension arrears, Gratuity, GPF and Group Insurance.

6. Learned counsel for the petitioners does not controvert the same. Learned counsel submitted that the petitioners be given liberty to move the appropriate forum for any remaining grievance they may have.

7. Having regard to the aforesaid, the writ petitions stand disposed off with liberty to the petitioners to move before the appropriate forum, in accordance with law, with regard to any remaining grievance.

(Ahsanuddin Amanullah, J)

J. Alam/-

AFR/NAFR	
U	
T	

