

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7244 of 2018

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Mrs. Arti Singh, Wife of Late Mukti Kishore Prasad Singh, Resident of
Professor Colony Deep Sikha Road, P.S.- Nagar, District- Begusarai.

... .. Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Higher Education, Bihar,
Patna.
2. Director Higher Education, Bihar, Patna.
3. Vice Chancellor, Lalit Narayan Mithila University.
4. Registrar, Lalit Narayan Mithila University.
5. Finance Officer, Lalit Narayan Mithila University.
6. P.O., Lalit Narayan Mithila University.

... .. Respondents

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Appearance :

For the Petitioner	:	Mrs.Archana Sinha @ Archana Shahi, Advocate.
For the State	:	Mr. Madhav Prasad, G.P. 23.
For the R. Nos. 3 to 5	:	Mr. Md. Nadim Seraj, G.P. 5.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

12 01-06-2020 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 learned counsel for the petitioner and learned
counsel for the respondents.

I.A. No. 4589 of 2018:

The aforesaid Interlocutory Application has been filed
on behalf of the petitioner for amendment in paragraph no.
1/prayer for commanding/directing the respondents to start



family pension from the date of death of her husband i.e., from 28.09.2015.

Considering the same, I.A. No. 4589 of 2018 is allowed.

The following reliefs have been sought for on behalf of the petitioner in the present writ application.

“1 (i) An appropriate writ may be issued commanding upon the respondents authorities for payment of all retiral dues of the petitioner with statutory interest.

(ii) An appropriate writ may be issued commanding upon the respondents to pay arrears of salary w.e.f. 01.01.86 to 28.09.2015 and for commanding/directing the respondents to start family pension from the date of death of her husband i.e., from 28.09.2015.

(iii) For directing the respondent for payment of the Group Insurance with 12.5% compound interest till date of payment.

(iv) For payment of admissible deferred D.A. with interest at the rate of 9%.

(v) An appropriate writ may be issued commanding upon the respondents concerned to pay leave encashment alongwith gratuity amount with interest thereon.”

In pursuance to the same, a counter affidavit and an additional counter affidavit have been filed on behalf of the respondent nos. 3 to 5, Lalit Narayan Mithila University. The



following statements have been made in paragraph nos. 3 and 4 of the said additional counter affidavit filed on behalf of respondent nos. 3 to 5.

“3. That the claim of the petitioner regarding payment of family pension arrear has been calculated and a sum of Rs. 14,96,126/- was found admissible.

4. That the aforesaid admitted amount has been paid to the petitioner through Treasury on 05.10.2018.”

Considering the aforesaid facts and circumstances, the petitioner is granted liberty to make/file a fresh representation before an appropriate authority within a period of eight weeks from today for remaining dues, if any. If any such representation is made/filed before the concerned authority, the concerned authority shall pass an appropriate order in accordance with law, within a period of four months, from the date of filing/making of such representation.

The present writ application stands disposed of with the aforesaid observation and direction.

(Sudhir Singh, J)

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