

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1970 of 2019

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Most. Vishweshwari Devi, aged about 64 years, (Female), wife of late Laxmi Narayan Lal Karan @ Laxmi Narayan Das, C/o Kalikant Karan, resident of Satsang Vihar, Kankarbagh, Police Station-Kankarbagh, District-Patna-800020.

... .. Petitioner/s

Versus

1. The Vice Chancellor, Patna University, Patna
2. The Secretary, Higher Education, Bihar, Patna
3. The State of Bihar through the Principal Secretary, Education (Human Resources) Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad No. 1, Advocate
For the State	:	Mr. Ashutosh Ranjan Pandey, AAG 15 with Mr. Prabhat Ranjan Singh, AC to AAG 15
For the PU	:	Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 03-12-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Bhola Prasad No. 1, learned counsel for the petitioner; Mr. Ashutosh Ranjan Pandey, learned AAG 15 along with Mr. Prabhat Ranjan Singh, learned AC to AAG 15 for the State and Mr. Md. Nadim Seraj, learned counsel for the Patna University (hereinafter referred to as the ‘University’).

3. The petitioner has moved the Court for the following reliefs:



“That the present application is being filed by this petitioner seeking directions through appropriate writ/order to pass an order b the respondent authorities for providing post retiral benefits of her late husband and further a direction to provide such benefits to this petitioner too, in the spirit of directions of Hon’ble Supreme Court in S.L.P. No. 1266-2017 and also as per the representation given to the Respondent No. 1, which still pending since more than 8 months.”

4. On 25.11.2020, learned counsel for the petitioner had taken time, in view of second supplementary affidavit on behalf of the University having been served on him only a day prior, for taking instructions. Today, learned counsel submitted that though he has not filed any rejoinder but the stand is that the petitioner has been paid a meager amount.

5. On a specific query of the Court as to what is his stand on the legal issue that the petitioner can be paid only in terms of the statutory provisions upon the service of the late husband of the petitioner being confirmed, learned counsel could not assist the Court.

6. Having considered the matter, the Court finds that no further relief can be granted to the petitioner in the present writ petition. Accordingly, the same stands disposed off.



7. However, it shall be open to the petitioner to move before the authorities concerned with regard to any consideration on grounds which may be available to him, both legal as well as humanitarian.

(Ahsanuddin Amanullah, J)

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