

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13952 of 2017

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Prem Lata Devi W/o Late Ganesh Prasad Chaudhary, Resident of Village-
Chulia, P.O.- Chouliya, Via- Dahigor, P.S.- Mohanpur, District- Deoghar,
Jharkhand.

... .. Petitioner/s

Versus

1. The Bihar State Road Transport Corporation and Ors
2. The Chief of Administration, The Bihar State Road Transport Corporation,
Birchand Patel Path, Pariw
3. The Chief of Operation, Bihar State Road Transport Corporation, Birchand
Patel Path, Pariwahan Bhaw
4. The Financial Advisor-cum-Chief Account Officer, Bihar State Road
Transport Corporation, Birchand P

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha
For the Respondent/s	:	Mr.Prabhat Kumar Verma
		Ms. Jahan Ara

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 19-06-2020 Heard learned counsel for the parties.

This writ application has been filed seeking direction to the Bihar State Road Transport Corporation to pay to the petitioner the post retirement benefits, consequent upon death of the petitioner's husband. It is the petitioners case that her husband was working as a Conductor under the Corporation, who died on 18.08.1989. She is said to have approached the authorities for payment of pensionary benefits by filing representation but no final decision has been taken.



A counter affidavit has been filed on behalf of the Corporation, stating therein that it is difficult for the Corporation to trace service records of the petitioner's husband, who had died admittedly in 1989 after a long gap of 28 years. The petitioner died while serving in the District Transport Officer-cum-Divisional Manager, Jamshedpur which presently falls in Jharkhand. It has, however, been stated that admissible contributory provident fund has been paid with interest up to January, 1991. It is further stated that even otherwise the petitioner would not have been entitled for gratuity as according to her own case, the petitioner's deceased husband was appointed under the Corporation on regular basis in the year 1987-88.

On perusal of the writ application, I do not find any justification for the petitioner to have approached this Court for the relief which he has sought, 27 years after the death of the husband of the deceased.

In such background, the plea taken on behalf of the Corporation that the records are not available and, therefore, the petitioner's entitlements cannot be looked into is justifiable.

In the aforesaid background, the Court finds it difficult to entertain this application nearly 28 years after the



death of petitioner’s husband.

It will, however, be open to the petitioner to pursue her remedy before the authorities under the Corporation.

This application stands disposed of with the aforesaid direction.

(Chakradhari Sharan Singh, J)

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