IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 9115 of 2017

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Pramila Devi, Wife of late Durgakant Jha, Resident of Village Ward No. 11, Jagatpur, P.O. Barail, P.S and District- Supaul 852110

... ... Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Rural Development Department, Government of Bihar, Patna
2. The District Magistrate, Saharsa.
3. The Treasury Officer, District - Saharsa.
4. The Block Development Officer, Saharsa.
5. The Block Development Officer, Kahra Block, District - Saharsa.
6. The D.D.C., Saharsa.
7. The Accountant General (A and E), Bihar, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Kumar Ravi Shankar
For the Respondent/s : Mr.Vikash Kumar- Sc11

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

15 **21-09-2020** This case has been taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the learned State Counsel.

When the matter was adjourned on 07.08.2020, this Court had recorded the fact that the petitioner was served with a Memo dated 29.02.2020 bearing Memo No 527 issued by the Block Development Officer, Kahra, alleging that certain amounts were due against the petitioner's husband (since deceased), as advance.

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Learned State Counsel submits that supplementary counter affidavit has been filed. Annexure F thereto is the letter dated 12.12.2019 written by the petitioner to the Block Development Officer, Kahra whereby Rs 12,12,497/- being alleged advance outstanding against the petitioner's deceased husband, has already been paid under Cheque No 741686 dated 18.12.2019. It is submitted that on basis of a No Dues Certificate, family pension is now regularly being paid to the wife of the deceased (petitioner).

This Court would, therefore, record that as per stand of the State Authorities, no recovery is liable to be made on account of any advance remaining on the basis of Memo No 527 dated 29.02.2020 issued by the Block Development Officer, Kahra.

Since, admittedly, No Dues Certificate has been issued, the Authorities shall not make any further deduction or claim any other amount as due from the petitioner (deceased husband).

The records further reveal that all other admissible retiral dues have been paid to the petitioner.

The writ petition is, therefore, disposed of.

The petitioner would be at liberty to raise any further

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grievance in accordance with law, if they remain.

(Madhuresh Prasad, J)

<u>M.E.H.</u>**/-**

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