

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 22464 of 2019

Shail Kumari Devi, aged about 49 years, Female Wife of Late Awadh Bihari Mishra, resident of Mohalla Bank Colony, Vishnu Nagar Anaith, P.S.- Ara, Nawada, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
4. The Superintending Engineer, Rural Works Division, Bhagalpur.
5. The Executive Engineer, Rural Works Division, Banka-2.
6. The District Magistrate, Bhojpur, Ara.
7. The Deputy Development Commissioner, Bhojpur, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Akhilesh Kumar Pandey, Advocate
For the State	:	Mr. Ajay, GA 5
		Mr. Pratik Kumar Sinha, AC to GA 5

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 03-02-2020

Heard learned counsel for the petitioner and learned GA
5 for the State.

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

“(I) For issuance of an appropriate writ in the nature of mandamus directing the respondent authorities to pay the retiral benefits including the family pension, gratuity, earn leave, Group Insurance, Provident Fund, dues salary since 6.07.2011 to 31.01.2016 (the date of retirement) with proper interest Forthwith to the petitioner for her husband who was already retired on 31.01.2016 and also died on 19.08.2019.



(II) To grant any other relief/reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case.”

3. From the counter affidavit and supplementary counter affidavit filed on behalf of respondents no. 1 to 5, stand has been taken that all admitted retiral dues of the petitioner have been paid and with regard to pension and gratuity, the service book along with authorization for 100% payment of pension, family pension as well as gratuity has also been communicated to the Accountant General on 21.01.2020.

4. Learned counsel for the State submitted that it is now for the Accountant General to issue the necessary authority slip based on which payment would be made to the petitioner.

5. Having regard to the aforesaid, the Court finds that nothing further remains in the present writ application.

6. Accordingly, the same stands disposed off with the observation that the authorities concerned shall expedite the matter with regard to payment of pension/family pension/gratuity to the petitioner.

(Ahsanuddin Amanullah, J.)

P. Kumar

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