

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25706 of 2019

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Sushila Kunwar Wife of Late Narendra Prasad Singh Resident of Village +
P.O.- Udaypur, P.S.- Sanjhauli, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar Through the Principal Secretary, Department of Higher Education, Govt. of Bihar, Patna.
2. The Director, Department of Higher Education, Govt. of Bihar, Patna.
3. The Registrar Veer Kunwar Singh University, Ara.
4. The Vice Chancellor, Veer Kunwar Singh University, Ara.
5. The Principal S.N. College, Shahamal Khaira, Deo, Rohtas, Bihar.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Nishant Kumar Sinha, Advocate
For the State	:	Mr. Kameshwar Kumar (GP 17)
For the University	:	Mr. P.K. Verma, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 23-06-2020

Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned senior counsel appearing on behalf of the University.

From the materials available on record it appears that husband of the petitioner is missing since 03.03.1998 on way of Mental Hospital, Kanke, Ranchi.

Learned counsel appearing on behalf of the petitioner



would submit that after lapse of more than a decade, all the formalities as per Hindu rites and rituals were performed.

Learned counsel appearing on behalf of the University submits that the matter requires thorough enquiry.

From the representation it appears that husband of the petitioner was posted as Storekeeper in S.N. College, Shahmal Khaira Deo, Rohtas which is now a constituent unit of Veer Kunwar Singh University and at the relevant time husband of the petitioner was entitled to the benefit of regularization. The husband of the petitioner is missing since 1998 and as such, his whereabouts is not traceable he shall be presumed as dead

Under the aforesaid circumstances, the writ petition is disposed of with a direction to the authority of the University to take appropriate decision with regard to the claim of the petitioner. If it is found that the petitioner is widow of late Narendra Prasad Singh whose his whereabouts is not traceable for the last two decades, the University shall ensure payment of admissible family pension as well as death-cum-retiral dues. Necessary decision in this regard must be taken by the respondent-University within a maximum period of three months from the date of receipt/production of a copy of this order.



With the aforesaid observation and direction, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2020
Transmission Date	NA

