

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14404 of 2019

Shiv Kumari Devi @ Shiv Kumari W/o Arun Kumar Goit Resident of Village
Ward No.5 vParsahi Sirisia,P.S. Khutauna Dist.Madhubani

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary,Department of Education(Primary Education) Govt. of Bihar,Patna
2. The Director(Primary Education) Govt. of Bihar,Patna
3. The Collector, Madhubani
4. The District Education Officer, Madhubani
5. The District Program Officer(Establishment), Madhubani
6. The Accountant General Bihar, Patna

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Amarendra Narayan
	:	Mr.Deepak Kumar
For the Respondents	:	Mr.Madhaw Prasad Yadav (GP 23)
	:	Mr.Amar Nath Singh
	:	Mr.Kumar Priya Ranjan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 12-08-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

The petitioner claims to be the wife of one Arun Kumar Goit, who was serving under District Superintendent of Education, Madhubani against Class-III post. It is the petitioner's case that her husband was mentally unstable and he became trace-less in the year 2006. On the plea that since whereabouts of the petitioner's husband is not known, he should be treated to have died civil-death. Accordingly, this writ



application has been filed seeking direction to the respondents to pay to the petitioner the death-cum-post retiral dues, treating the petitioner's husband to have died.

In the facts and circumstances of the case, this writ application is disposed of with a direction to the District Program Officer (Establishment), Madhubani to consider the petitioner's case for payment of death-cum-post retiral dues including family pension, as raised in the present writ application and take a final decision within a period of two months from the date of receipt/production of a copy of this order. If the petitioner is found entitled to post-retiral dues, he/she shall be required to issue sanction order for payment of such post-retrial dues, immediately thereafter.

It goes without saying that the office of the Accountant General shall, thereafter, take appropriate steps, if sanction order is issued by the competent authority, to issue necessary family pension payment orders/gratuity payment orders.

(Chakradhari Sharan Singh, J)

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