

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19697 of 2018

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Naseem Jahan, wife of late Md. Qamar Quraishi, Resident of Mohalla-Kadirabad, P.S. L.M.N.U. Campus, Town and District- Darbhanga, At Present residing at 18 B, Royal Shipra Sun City, Indirapuram, Gaziabad, Uttar Pradesh- 20101.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Commissioner-cum-Special Secretary, Department of Health and Family Welfare, Government of Bihar, New Secretariat, Patna-1.
2. The Commissioner-Cum-Special Secretary, Department of Health and Family Welfare, Government of Bihar, New Secretariat, Patna-1.
3. The Special Secretary, Department of Finance, Govt. of Bihar, Patna-1

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Prakritita Sharma, Advocate
For the Respondent/s : Mr.Ajay Behari Sinha- GA-8

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 07-04-2021 Heard learned counsel for the petitioner and the respondents.

During the pendency of the writ application, original petitioner has died and, as such, I.A. No. 01 of 2019 was filed on behalf of the petitioner for deleting the name of the original petitioner and for substitution of his legal heirs, as mentioned in para. 3 thereof.

For the reasons mentioned in I.A. No. 1 of 2019, the same is allowed. The legal heirs, namely, Naseem Jahan, wife of late Qamar Quraishi, mentioned in para. 3 of the I.A. No. 1 of 2019 is substituted as petitioner, in place of original petitioner, namely, Md. Qamar Quraishi.



Learned counsel for the petitioner on the basis of the counter affidavit admits that the respondents have fixed the pay scale of the original petitioner, but the monetary benefit has not reached the petitioner/legal heirs.

In view of the fact that the original petitioner superannuated on 2002, the respondents are directed to make payment of all consequential monetary benefits to the substituted heirs of original petitioner within a maximum period of three months from the date of receipt/production of a copy of this order, failing which the entire amount will carry interest at the rate of 9% per annum, which shall be borne out from the pocket of the concerned respondents.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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