

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21777 of 2018

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Sunaina Devi Wife of Late Sunil Ray, R/o-Village-Galimapur, P.O.-Mashrakh,
P.S.-Taraiya, District-Saran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Commissioner, Saran at Chapra.
4. The District Magistrate, Saran at Chapra.
5. The Senior Deputy Collector (General) Saran, Chapra.
6. The Sub-Divisional Officer, Madaura, Saran, Chapra.
7. The Circle Officer, Taraiya, Saran at Chapra.
8. The Block Development Officer, Taraiya, Saran at Chapra.
9. The Accountant General Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Binode Bariar, Advocate
For the Respondent/s	:	Mr. Manish Kumar – GP-4
For the Accountant General	:	Mr. Bindhyachal Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 04-03-2021

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The following reliefs as formulated by the petitioner
has been claimed in the writ petition -

- “i) To direct and command the respondent authorities to pay death-cum-retiral benefits of the husband of the petitioner who died in harness while working on the post of Chaukidar-cum-dafadar and nothing has been paid till date;*
- ii) To direct and command the respondent*



authorities to pay the arrears and current family pension along with interest to the petitioner from the date it became due to the petitioner till actual date of payment along with penal interest;
iii) To pay the entire dues amount along with interest and also cost of litigation to the petitioner;
iv) And, for any other relief, which may deem fit and proper in the facts and circumstances of the case.”

3. At the very outset learned counsel for the petitioner fairly accepts that all due payments of retirement benefits have been made to the petitioner during pendency of the writ petition. However, it is stated that such payments have been made after considerable delay and as such interest ought to be awarded.

4. This Court makes no observation with regard to payment of interest for the delayed payments, for which the petitioner shall be at liberty to file an appropriate representation before the concerned respondent. If any such representation is filed within two weeks from today, the same shall be considered and disposed of on its own merits in accordance with law after grant of opportunity of hearing to the petitioner within a period of four weeks thereafter. Any payment of interest found due to the petitioner shall be paid within a period of eight weeks thereafter.

5. Having regard to the stand of the petitioner that due payments towards all retirement benefits have been made, the



writ petition stands disposed of with the aforesaid observations
and directions.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	05.03.2021
Transmission Date	-

