

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 473 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 12549 of 2014

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Mosmat Shyam Sundari Devi, Wife of Late Sidheshwar Prasad, resident of Village and PO- Sarahan, PS- Pandarak, District- Patna. At present residing at Village- Karuamara, PS- Chautham, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Smt. Ansul Arya, the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. Mr. Jay Singh, the District Magistrate, Khagaria.
3. Mr. Dineshwar Prasad Singh, the Engineerin-Chief-cum-Special Secretary, Public Health Engineering Department, Bihar Patna.
4. Mr. Raghav Jee Ram, the Chief Engineer, Public Health Engineering Department, Bihar, Patna.
5. Mr. Ramakant Singh, the Executive Engineer, Public Health Engineering Division, Khagaria.
6. Mr. Ali Haidar, the Sub, Divisional Officer, Public Health Engineering Sub-Division, Khagaria.
7. Mosmat Manju Sinha, Second Widow of late Sidheshwar Prasad, Resident of Village- Batuin, PS Pandarak, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Kumar, Advocate
For the State	:	Mr. Alok Ranjan, AC to AAG5
For the opposite party no. 7	:	Mr. Chandra Sen Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 22-09-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Bhola Kumar, learned counsel for the petitioner; Mr. Alok Ranjan, learned AC to AAG 5 for the State and Mr. Chandra Sen Prasad Singh, learned counsel for the opposite party no. 7.



3. The present application has been filed for initiating contempt proceeding against the concerned opposite parties for violation of the order dated 29.09.2015 passed in CWJC No. 12549 of 2014.

4. Learned counsel for the State submitted that as per the order of the Court dated 29.09.2015, the authorities were directed to take a final decision in the matter, in accordance with law, within a period of three months in view of the representation relating to grant of family pension to the petitioner filed by her on 01.05.2014. He submitted that in terms thereof, the authorities have passed final order on 30.11.2015, copy of which is Annexure B to the show cause filed on behalf of opposite parties no. 1 and 3 to 5.

5. Learned counsel for the petitioner does not dispute the position.

6. Learned counsel for the opposite party no. 7 submitted that she is the second wife and has not been paid any family pension.

7. Having regard to the fact that the Court by judgment dated 29.09.2015 passed in CWJC No. 12549 of 2014, had only directed the authorities to take a final decision on the representation of the petitioner, in accordance with law, and the



authorities having taken a final decision, nothing further remains in the present petition and accordingly, the same stands disposed of.

8. As far as the opposite party no. 7 is concerned, if she is aggrieved by any decision or order passed by the authorities, the same being a separate cause of action, she is at liberty to assail it before the appropriate forum, in accordance with law.

(Ahsanuddin Amanullah, J.)

P. Kumar

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