

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1040 of 2021

Neelam Sharma Wife of Late Ravindra Sharma Resident of 66 Makhania Kuan, Purvi gali, Arya Kumar Road, Bankipore, P.S.- Pirbohar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. The Chief Engineer (South) Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Baily Road, Patna.
3. The Superintending Engineer Building Construction Department, South Bihar Circle Punaichak, Patna.
4. The Executive Engineer Building Construction Department, Building Division, Patna.
5. The Accountant General Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Karn, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 24-08-2022 The only issue for consideration in the present writ petition is as to whether the father of the substituted petitioners namely Sri Rishabh Ravi and Sri Nishant Ravi, who was appointed under Work Charge Establishment in the Building Construction Department on 20.12.1979 and was then regularized in the regular establishment in the year 2013 whereafter, he died in harness on 20.05.2020, is entitled to revised death-cum-retiral benefits, taking into account the services rendered in the Work Charge Establishment, in accordance with the law laid down by the learned Full Bench of



this Court in the case of *Amerika Devi vs. The State of Bihar & others*, reported in 2019 Vol. 4 PLJR 354.

Having regard to the facts and circumstances of the case, this Court deems it fit and proper to direct the Additional Chief Secretary, Building Construction Department, Government of Bihar, Patna to consider the case of the petitioners for grant of revised death cum retiral dues on the aforesaid basis in light of the judgment rendered by the Ld. Full Bench of this Court in the case of *Amerika Devi & ors.* (supra) and pass appropriate orders within a period of 12 weeks of receipt/production of a copy of this order.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

S.Sb/-

