

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1717 of 2021

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Saroj Devi alias Saroj Kunwar Wife of Late Birendra Kumar Singh Resident of Mo. New Area, Near Gayatri Mandir Town and P.S.- Sasaram, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Finance Deptt., Govt. of Bihar, Patna.
3. The L.R. cum Secretary, Law Department, Govt. of Bihar, Patna.
4. The Chairman, Bihar State Bar Council, Patna.
5. Bihar Advocate Welfare Trustee Committee through its Chairman, Bar Council Bhawan, Patna.
6. The Secretary, Bihar Advocate Welfare Trustee Committee, Bar Council Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bajarangi Lal, Advocate
For the Respondent/s	:	Mr.G.P. Ozha, GA 7
	:	Mr. Yash Mathur, AC to GA 7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 12-10-2022 The present writ petition has been filed seeking the following reliefs :-

“(i) For a direction upon the respondent-Bihar State Advocate Welfare Trustee Committee to make payment of death claim amount to petitioner from its welfare fund along with atatory interest on account of death of her husband namely Late Birendra Kumar Singh, Advocate, Enrollment no. 896/1980 dated 16.07.1980, a practicing advocate at Civil Court, Sasaram who died on 28.08.2016 due to serious illness and



during period of practice he regularly made payment of subscription for the Advocate Welfare Fund since financial year 1991-92 to financial year 2015-16.

(ii) For quashing of letter bearing ref. no. 421/2018 dated 14.06.2018 issued by the Secretary, Bihar State Welfare Trustee Committee whereby petitioner has been denied payment of death claim amount from welfare fund on the ground that late husband of petitioner was defaulter for the year 2016-17(the year in which he died due to ailment)."

At the outset, the learned counsel appearing for the Bihar State Advocate Welfare Trustee Committee submits that the matter has been discussed at the highest level and it has been thought appropriate to consider the case of the petitioner sympathetically, hence, it is proposed that the petitioner may file a review petition under Section 17A of the Bihar Advocate Welfare Fund (Amendment) Act, 2015, which shall be considered sympathetically.

In view of the aforesaid stand of the learned counsel for the respondents no. 5 & 6, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate review petition, within a period of four weeks from



today. Liberty so sought, is granted. It is needless to state that the concerned authorities shall immediately act upon the said review petition and pass appropriate orders favourably, in accordance with law, within a period of eight weeks of filing of the same.

It is needless to state that limitation, if any, in filing the review petition shall not detain the respondent- authorities from adjudicating the matter on merits.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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