

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18418 of 2016

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Sabia Devi @ Paro Devi, w/o Baleshwar Mahto, r/o vill-Ghuskari, PS-Ariari,
Dist-Sheikhpura

... .. Petitioner/s

Versus

1. The Union Of India through the Union Secretary of Coal and Mines, New Delhi.
2. The Chief General Manager, South Eastern Coalfields Ltd. Hasdeo Area, PO- South Jhagar Khand Colliery, Dist-Korea (Chattisgarh)- 497448.
3. General Manager, Birjuri Sub Area, PO Bijuri, Dist- Anuppur, Madhya Pradesh- 48440.
4. The General Manager (personnel) South Eastern Coal fields Ltd. Office of the Subb Area Manager, Bijuri Sub Area, PO-Bijuri, Dist-Anuppur, Madhya Pradesh- 484440.
5. Sri Baleshwar Mahto, s/o Fakira Mahto, r/o vill-Madhopur, PS-Kajara, Dist-Lakhisarai, at present working as Deputy Manager (Mining) Bijuri Colliery, Bijuri Sub Area, Bijuri, PO-Bijuri, Madhya Pradesh- 484440.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms.Sudha Chandra, Advocate
For the Respondent/s : Mr.Vishwa Mohan Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2023 The present writ petition has been filed seeking the following reliefs :-

“ (i) To issue appropriate writ, order or direction commanding the Respondents to deduct half of the salaries from the monthly salary of respondent No. 5 Baleshwar Mahto, Deputy Manager South Eastern Coalfields Limited and pay the same to the petitioner on account of the fact that she is his lawfully wedded wife and is neglected by him for a quite long time.



ii) To issue an appropriate writ, order or direction commanding the respondents that after the retirement of Private Respondent Baleshwar Mahto, Deputy Manager South Eastern Coalfields Limited deduct half of his entire post retiral benefits including L.I.C. and other payments and same should be paid to the petitioner who is the legally wedded wife of the Baleshwar Mahto, Deputy Manager South Eastern Coalfields Limited, as she is being neglected by her husband, on account of the fact that she deserves to be maintained out of the monetary benefits earned by the him.

iii) This Hon'ble court may adjudicate and hold that it is the duty of the respondent No.5 to pay and maintain the petitioner according to his status and also that in case of refusal, it is the pious duty of official respondents to deduct half of the salary as well as other post retiral benefits of the respondent 5 and pay the same to the petitioner.

iv) This Hon'ble Court may award the cost of litigation and suitable such compensation to the Petitioner as this Hon'ble Court deems fit.”

After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however,



seeks liberty on behalf of the petitioner to avail such other alternative remedies, as are otherwise available under the law. Liberty so sought, is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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