

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3004 of 2023

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Anchal Kumari D/o Late Jai Shankar Prasad under Guardianship of Mostt. Sunita Devi, W/o Late Jai Shankar Prasad, R/o Village - Nawada, P.S. - Sultanganj, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The Union of India through Military Secretary, Ministry of Defence, Govt. of India, New Delhi.
2. The Record Officer, Record Office India Air Force, Subroto Park, New Delhi - 10.
3. The Controller of Defence Accounts, Pension, Allahabad.
4. The Controller of Defence Accounts, Bihar, C.D.A. Building, Rajendra Path, Patna.
5. The Pay and Accounts Officer, Central Pension Accounting Officer, Prikoote-II, Complex, Bhikaji Complex, New Delhi - 110066.
6. The District Welfare Officer, Army Board Area, Bhagalpur, Bihar.
7. Th Most. Munga Devi, W/o Late Jai Shankar Prasad, R/o P.S. - District - .

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Anjani Pd. Singh, Adv.
For the U.O.I.	:	Mrs. Kanak Verma, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 16-08-2023

Heard Mr. Dr. Anjani Pd. Singh, learned counsel appearing on behalf of the petitioner and Mrs. Kanak Verma, learned counsel appearing on behalf of the Union of India.

2. Learned counsel appearing on behalf of the petitioner seeks to withdraw the present writ petition considering the fact that petitioner has claimed herself to be second wife of the deceased



employee namely Late Jaishankar Prasad, who had retired from the post of Junio Warrant Officer (JWO) and died on 28.11.2006.

3. Considering the specific submissions made on behalf of the petitioner, the petitioner, if so advise, may file a detail representation along with all the circular issued by the State Government with respect to receive family pension as well as the law laid down by the Hon’ble Apex Court.

4. In case the representation is filed, the District Welfare Officer, Army Board Area, Bhagalpur is directed to dispose of the representation filed by the petitioner in accordance with law and circular of the State Government. However, he is directed to distribute the retiral dues of different heads to the biological sons and daughters of the deceased employee in equal share on account of leave encashment, gratuity, provident fund etc. payable to the Government employee.

5. With the above observation and direction the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

