

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6631 of 2021

Most. Asha Devi wife of Late Naresh Prasad Sharma, Resident of Village-
Raily, Police Station- N.T.P.C., Barh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Director, Primary Education, Bihar, Patna
3. The Commissioner, Patna Division, Patna
4. The Regional Education Deputy Director, Patna Division, Patna
5. The District Magistrate-cum-collector, Patna.
6. The District Education Officer, Patna
7. The District Programme Officer, Establishment, Patna
8. The Headmaster-cum-Drawing and Dispersing Officer, Practice Middle School, Barh, Patna
9. The Accountant General, Bihar, Patna
10. Nav Jeevan, S/o Late Naresh Prasad Sharma Resident of village- Raily, P.S. N.T.P.C, Barh, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Advocate.
For the State	:	Mr. Prabhakar Jha, GP-27.
For Respondent No.10	:	Mr. Vijay Shankar Upadhyay, Advocate. Mr. Dhanendra Choubey, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 07-10-2023

Heard Mr. Bipin Kumar, learned counsel appearing
on behalf of the petitioner; Mr. Prabhakar Jha, learned GP-27
for the State and Mr. Vijay Shankar Upadhyay, learned counsel
along with Mr. Dhanendra Choubey, learned counsel for the
respondent no.10.

2. The law is well settled that in case of dispute
between two parties claiming themselves to be entitled for



family pension, remedy for such claim is before the competent civil court having jurisdiction or they can even file a joint affidavit with respect to amicable settlement.

3. So far as retiral benefits which have not been paid to the biological sons and daughters of the deceased employee are concerned, the District Programme Officer (Establishment), Patna is directed to forthwith verify about the biological sons and daughters who have taken birth out of cohabitation from two wives of the deceased employee and make payment of retiral benefits which have not been paid to the deceased employee in equal shares in accordance with the government circulars within a period of six weeks from the date of communication of this order.

4. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	10.10.2023
Transmission Date	N.A.

