

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2586 of 2023**

=====

Nanchula Devi Wife of Late Mahavir Prasad resident of Village - Jiyan Bigha,  
Police-Station - Sheikhpura, District - Sheikhpura, at Present residing at  
Mohalla - Naisarai, Narsaliganj, Police Station - Biharsharif, District -  
Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Fisheries Department Government,  
Bihar, Patna.
2. That Principal Secretary, Department of Fisheries, Bihar, Patna.
3. The Accountant -General (A and E), Patna, R-Block, Patna.
4. The Principal Secretary, Finance Department, Government of Bihar, Patna.
5. The District Fisheries Officer-cum-Chief Executive Officer, Nalanda at  
Biharsharif.

... .. Respondent/s

=====

**Appearance :**

|                        |   |                                                               |
|------------------------|---|---------------------------------------------------------------|
| For the Petitioner/s   | : | Mr. Rabindra Prasad Singh, Adv.                               |
| For the State          | : | Mr. Navnit Kumar, AC to GP-18                                 |
| For Accountant General | : | Mr. Raj Nandan Prasad, Adv.,<br>Mr. Vishesh Kumar Singh, Adv. |

=====

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**

**ORAL JUDGMENT**

**Date : 16-08-2023**

Heard Mr. Rabindra Prasad Singh, learned counsel  
appearing on behalf of the petitioner, Mr. Navnit Kumar, learned  
counsel appearing on behalf of the State and Mr. Raj Nandan  
Prasad and Mr. Vishesh Kumar Singh, learned counsel appearing  
on behalf of the Accountant General.

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 Mahabir Prasad, who had retired from the post of Head Clerk and died on 07.10.2016.

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 Fisheries Officer-cum-Executive Officer, Nalanda 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   |

