

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20702 of 2013

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Asha Devi W/O Ranjan Mishra Resident Of Mohalla- Makhalotganj
Swarajpuri Road, P.S- Kotwali District- Gaya Presently Residing At Shastri
Nagar East, Road No. 3, P.S- Rampur, Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Ltd. and Ors
2. The Secretary, The Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna.
3. The Managing Director, The North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Ro
4. The Joint Secretary, The Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Pat
5. The Deputy Director Of Accounts, The Bihar State Power Holding Company Limited, Vidyut Bhawan, Bail
6. The Dcm Hr/ Adm, North Power Distribution Company Limited Vidyut Bhawan, Bailey Road, Patna.
7. Ranjan Mishra, Lower Division Assistant, Land Acquisition Section, Bihar State Power Holding Company Limited Headquarter, Vidyut B Hawan, Bailey Road, Patna Presently Residing At Quarter No. 189, Board Colony, Rajbanshi Nagar, P.S- Sastri Nagar, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bajarangi Lal, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 24-01-2023 The petitioner by way of this writ petition prays to

direct the respondents to treat the petitioner as nominee of

respondent no.7 and add her name and name of her son as

nominee in the service record of respondent no.7, as petitioner is

first legally wedded wife of respondent no.7 and also provide all

consequential service benefits of respondent no.7 to the



petitioner in accordance with law.

The nature and tenor of the prayer suggest as if the respondent no.7 is not alive and the petitioner claims her rights through her husband.

However, from the facts, which have come on record, it is a case where there is a dispute between the husband and wife and the petitioner has filed proceedings under Section 125 of the Cr.P.C. for claiming and maintenance from her husband.

In the aforesaid background, if the respondent chooses not to nominate the petitioner as nominee in his service record of the retiral benefits, which may be due, after his death, no exception can be made to such a decision of respondent no.7. The petitioner neither has a legal right nor a right flowing from matrimony to claim a compulsory nomination in the service record of respondent no.7.

The writ petition is fully misconceived and is dismissed.

(Sanjeev Prakash Sharma, J)

Brajesh Kumar/-
Item No.20

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