

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6997 of 2020

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Nirmala Kuar, Wife of Late Ram Naresh Singh, Resident of Village-
Kudarbhadha, P.O.- Kudarbhadha, District- Saran, Pin Code- 841202

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Health Department, Bihar, Patna
3. The Director, Health Services, new Secretariat, Patna
4. The Superintendent, T.B. Hospital, Koeilwar, District- Bhojpur
5. The Accountant General Bihar, R.Block, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Respondent/s : Ms. Kalpana, AC to G.A-8

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 15-03-2023 Heard Mr. Ashok Kumar Singh, learned counsel

 appearing on behalf of the petitioner and Ms. Kalpana, learned

 AC to GA-8 for the State.

 2. In the present writ petition, the petitioner has

 prayed for following relief(s):

**“That this writ or writ petition is being
filed for directing and commanding the
Respondents to pay full pension and gratuity to
petitioner’s Late husband to the petitioner on the
basis of her husband’s service period counted from
09.11.1965 to 31.07.2003 instead of 22.02.1978 to
31.07.2003 and also given the family pension to
petitioner from 11.12.2010.”**

 3. Ms. Kalpana, learned AC to GA-8 appearing on

 behalf of the State informs this Court by referring



supplementary counter affidavit that almost all the retiral dues payable to the petitioner has been paid as would appear from the paragraph No.5 of the supplementary counter affidavit, which *inter alia* is as follows:

“5. That the outset, it is humble submitted that recently, the Civil Surgeon-cum-Chief Medical Officer, Bhojpur (Ara) vide his letter No. 2079 dated 30.08.2021 has furnished the factual status retiral benefit / dues of the petitioner in the following manner:-

(a) GPF amount has been paid to the petitioner.

(b) Group insurance amount to the tune of Rs. 39393/- has been paid.

(c) Gratuity amount to the tune of Rs. 70814/- has been paid.

(d) Unutilized earned leave amount to the tune of Rs. 43952/- has been paid.

(e) Rs. 1467/- monthly pension is regularly being made to the petitioner.”

4. Learned counsel further submitted that in paragraph No. 6 of the supplementary counter affidavit it has been stated that period from 05.11.1965 to 21.02.1978 is not pensionable during which the husband of the petitioner had discharged his duty as daily wagers.

5. Considering the statement made in paragraph no.5 of the supplementary counter affidavit filed on behalf of the State, this writ petition is disposed of with a liberty to the petitioner, if she is aggrieved by non-payment of any dues on account of any head, she may represent before appropriate authority. The appropriate authority is directed to dispose of the representation



of the petitioner within a period of three months from the date of its filing.

6. With above observations and directions, the present writ petition stands disposed of.

(Purnendu Singh, J)

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