

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25735 of 2013

Arti Devi @ Arti Pandey W/O Shyam Kishore Pandey Resident Of Village
Narena, Police Station Chenari, District Rohtas.

... .. Petitioner/s

Versus

1. The Union Of India through the Director General, Central Reserve Police Force, Central Office, Lodhi Road, New Delhi.
2. The Director General, Central Reserve Police Force, Central Office, Lodhi Road, New Delhi.
3. The Joint Assistant Director (Welfare), Directorate, Central Reserve Police Force, New Delhi.
4. The Inspector General, Bihar Sector, Central Reserve Police Force, Sheikhpura, Bailey Road, Patna, Bihar.
5. The Deputy Inspector General, Central Reserve Police Force, Shiekhpora, Bailey Road, Patna, Bihar.
6. The Additional Deputy Inspector General, Group Centre Central Reserve Police Force, Mokamaghat, Patna, Bihar.
7. The Commandant, 36th Bn, Central Reserve Police Force Mokama, Patna, Bihar.
8. The Company Commander, F/36th Bn, Central Reserve Police Force Mokama, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Arun Kumar Singh, Advocate
For the Respondent/UOI	:	Mr.A.K. Pandey, Sr. Panel Counsel
	:	Mr. R.K. Sharma, C.G.C.
	:	Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 27-07-2023

1. The present petition has been filed seeking the following reliefs :-

“(i) For directing the respondents authorities to count the period of Extra Ordinary Leave (EOL) as qualifying service, so far the services of petitioner’s husband is



concerned, in terms of Rule 32 of the CCS (Leave) Rules read with Rule 21 of the CCS (Pension) Rules, 1972 and Government of India's decisions appended therewith and accordingly, make necessary correction in Pension Payment Order already issued to the petitioner being the wife of a "MISSING PERSON/ MISSING GOVERNMENT SERVANT" Ct/ GD Shyam Kishore Pandey.

(ii) For a direction to the respondents authorities to make payment of full salary to the petitioner for the period of Extra Ordinary Leave (EOL) i.e. for the 988 days as has already been declared with respect to the petitioner's husband and the other allowances permissible thereon."

2. The only issue required to be decided in the present case is as to whether the period of 988 days, during which the husband of the petitioner was missing, which has been declared as Extra Ordinary Leave, would be counted for the purposes of calculation of the pensionary benefits.

3. The learned counsel for the petitioner submits that the aforesaid issue has not been adjudicated upon by the respondent- authorities, hence the petitioner be granted liberty to approach them for the needful.

4. The learned counsel for the respondents submits



that in case, appropriate petition is filed, the respondent authority shall definitely consider the aforesaid aspect of the matter and take a final decision, forthwith.

5. Having regard to the facts and circumstances of the case, I deem it fit and appropriate to grant liberty to the petitioner to file appropriate petition before the Commandant, 36th BN, Central Reserve Police Force, Mokama, Patna, Bihar i.e. the respondent no. 7, within a period of four weeks from today, which shall be considered and decided by a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.07.2023
Transmission Date	NA

