

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10885 of 2021

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1. Shobhanti Devi Wife of Late Birendra Kumar @ Birendra Kumar Verma, Resident of Mohalla - Indra Nagar, Road No. 4, Postal Park, P.S. - Kankarbagh, District- Patna.
 2. Amit Kumar, Son of Late Birendra Kumar @ Birendra Kumar Verma, Resident of Village- Dulhin Bazar, P.S. Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary/Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Additional Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Engineer in Chief. (Irrigation Department) Water Resources Department, Visvasharya Bhawan, Bailey Road, Patna - 1.
5. The Chief Engineer, Water Resources Department, Irrigation Department, Patna.
6. The Executive Engineer (Water Resources Department) Punpun Flood Protection Division, Patna City, Patna.
7. The Assistant Engineer (Water Resources Department), Punpun Flood Protection Division, Patna City, Patna.
8. The Accountant General (A and E), Bihar, Patna.
9. The Treasury Officer, Patna.
10. The Assistant Treasury Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jagjit Roshan, Adv.
For the Respondent/s	:	Mr. Lalit Kishore (AG)
	:	Mr. Vikash Kumar, AC to SC-11.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 02-01-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard Mr. Jagjit Roshan, learned counsel for the
petitioners and Mr. Vikash Kumar, AC to SC11 for the

respondents.

Pleadings has already been completed in this case.

Vide order dated 15.11.2022, learned counsel for the petitioner seeks three weeks time to file I.A.

Vide order dated 06.12.2022 two weeks further time was granted.

From the records it transpires that no I.A. is present on the record.

Present application is being filed for grant of payment of Death-cum-Retiral Benefit, Family Pension, Gratuity, G.P.F., Group Insurance and other benefits as the petitioners are entitled.

Petitioner no.1 claims herself to be the wife of deceased employee and petitioner no.2 claims himself to be the son of said employee. The deceased employee was appointed on compassionate ground as Peon in the year 1992, joined services on 12.01.1993 and expired on 24.11.2020. Petitioner no.1 and 2 filed representations dated 13.03.2021 through speed post.

Learned counsel for the State submits that in the official records the name of petitioner no.1 is not figured as well as petitioner no.1 is not the mother of petitioner no.2. In this regard several letters were issued from the office of Executive

Engineer (Water Resources Department), Punpun Flood Protection Division, Patna City, Patna so that the claim of deceased employee in favour of his heirs and legal representatives may be decided in accordance with law.

A letter dated 17.03.2021 has been issued to petitioner no.1 which is annexed as Annexure-C in the counter affidavit but she did not give any response thereafter.

In the above stated background, I am disposing of the present application with a direction to the petitioners to file their representation before respondent no.6 who shall decide the claim of petitioners in accordance with law and without prejudice from passing of order by the present Court within 60 days.

With this direction the writ application is disposed off.

(Dr. Anshuman, J.)

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