

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10613 of 2021

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Lalita Devi wife of Late Shashi Shekhar, Resident of Village- Darihat, P.S. -
Darihat, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Primary Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
4. The District Magistrate, Madhubani.
5. The District Education Officer, Madhubani.
6. The District Programme Officer, (Establishment) Madhubani.
7. The District Provident Fund Officer, Madhubani.
8. The District Treasury Officer, Madhubani.
9. The Accountant General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Res.-State : Mr. Rajeew Ranjan, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-01-2023 Learned counsel for the petitioner and counsel for the

State present.

Counsel for the petitioner submits that the present case has been filed directing the respondent to provide retiral dues and family pension to the widow whose husband was working on the post of Block Education Extension Officer and served at Aurangabad and subsequently working as Headmaster in Rajkiya Buniyadi Vidyalaya Brindawan (Boys), West Champaran from where he was transferred to BEO,

Ghoghardiha, District-Madhubani in July, 2019. He was suspended there and directed to join in the office of DEO, Hajipur, Vaishali. He died in service on 22.11.2019.

Counsel for the petitioner further submits that upon submission of representation respondent authority started demanding the detail documents relating to his service. Counsel further submits that petitioner is a widow and she is not in a position to provide the documents as demanded by the officials. Counsel further submits that since husband of the petitioner was the government servant then his entire service details are already available in the government offices.

Counsel for the State submits that due to the lack of documents demanded to the petitioner, she would not get the retiral dues i.e. family pension and other retiral arrears.

In the present facts and circumstances that petitioner is the widow and she has categorically mentioned that the documents demanded by the officials are not in her possession. Let the Director, Primary Education, Government of Bihar, Patna (Respondent no.2) is hereby directed to look into the matter and assure the family pension to the petitioner within two weeks from the date of filing a fresh representation by the petitioner before him. So far as the other retiral dues are

concerned, he shall assure the admissible payment within six weeks thereafter. If the admissible dues shall not be paid within the said period, 9% interest shall be charged upon the respondent no.2 and after payment of 9% interest, the State shall be at liberty to realize the said amount from the pocket of respondent no.2.

With the aforesaid direction, the writ application stands disposed off.

(Dr. Anshuman, J.)

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