

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16421 of 2014

Uma Devi Wife of Late Laldeo Prasad resident of Village - Dharmuha Police Station - Kudhani District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Bihar.
2. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
3. The Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The Programme Officer (Establishment), Muzaffarpur.
7. The Headmaster, Middle School, Dighra, Minapur, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Ms. Kumari Amrita, G.P.3 Mr. Rajesh Kumar, A.C. to G.P.3

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-10-2023 1. No one appears on behalf of the petitioner. Learned counsel for the respondents are present.

2. The petitioner filed the instant application for a direction to the respondents to fix the pay scale of the deceased-husband of the petitioner namely Late Laldeo Prasad who was posted as a teacher in Middle School, Dighra Mushahri, Muzaffarpur from 1.4.1998, who died on 15.11.2003 and for paying his dues as mentioned in the writ application.

3. From perusal of the record of the case, it transpires that taking into consideration that learned counsel for the



petitioner had passed away, by order dated 25.9.2018, the office was directed to issue notice to the petitioner to enable her to take steps for making alternate arrangement. From the office note dated 26.2.2019, it transpires that the petitioner has been served notice validly, however no one appears on behalf of the petitioner.

4. Learned counsel for the respondents submits that a counter affidavit has been filed on behalf of the Programme Officer (Establishment), Muzaffarpur (respondent no.6) wherein statement to the following effect has been made in paragraph nos.5 and 6. Paragraph nos.5 and 6 are quoted herein below:

“5. That the Headmaster, Identified Middle School Rohua, Mushahari, Muzaffarpur has reported this deponent vide Letter No. 34 dated 16.03.2023 in the light of this deponent's Letter No. 774 dated 21.02.2023 mentioning therein that Late Laldeo Prasad, Retired Teacher, Middle School Dighra, Mushahari has been paid Rs. 37439/- through Bill No. 112/2015-16 dated 21.12.2015.

6. That from the perusal of pay fixation form of the petitioner and service book it is clear that the family pension of the petitioner's wife has been revised in the light of promotion is granted in Matric Trained Pay Scale (Grade-3) granted to the petitioner which is also clear from



*the Letter No. 953 dated 30.06.2017 issued by
the office of Accountant General, Bihar, Patna.”*

5. Learned counsel for the respondents submits that
the grievance of the petitioner has been redressed.

6. In view of the facts and circumstances of the case
and in view of the statement made in paragraph nos.5 and 6 of
the counter affidavit filed on behalf of the respondents, as
quoted herein above, the writ application is disposed of.

7. However, in case any of the grievance raised by the
petitioner in the instant writ application still remains, the
petitioner will be at liberty to pursue the same by filing an
appropriate representation before the concerned respondent.

8. This writ application stands disposed of.

(Partha Sarthy, J)

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