

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10776 of 2020

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Baby Devi, W/o Late Ram Babu Mahto, Resident of Village- Dhelwan, Near
New Shiv Mandir, P.S.- Ram Krishna Nagar, Sheikhpura, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. Nagar Parishad, Danapur Nizamat, Danapur, Patna, represented through its Municipal Executive Officer, Nagar Parishad, Danapur Nizamat, Danapur, Patna.
3. The Municipal Executive Officer, Nagar Parishad, Danapur Nizamat, Danapur, Patna.
4. The Municipal Chairperson, Nagar Parishad, Danapur Nizamat, Danapur, Patna.
5. The Empowered Standing Committee, Nagar Parishad, Danapur Nizamat, Danapur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondents	:	
No. 2 to 5	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. Suresh Kumar, AC to GP-1

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 20-06-2023

Learned counsel appearing on behalf of the respondents no. 2 Nagar Parishad, Danapur Nizamat, Danapur, Patna submits that all the admissible retiral dues relating to the husband of the petitioner has already been paid. The specific statement with respect to payment of leave encashment of Rs. 2,09,459/-, payment on account of gratuity Rs. 1,47,715/- have been made and the said facts have been dealt with in paragraphs



no. 2 and 3 of the counter affidavit. A requisition has been made by the Executive Officer, Nagar Parishad, Danapur to the Post Master, Digha and Branch Manager, Syndicate Bank, Danapur with respect to payment of provident fund of the petitioner's husband. A statement has also been made that the benefit arising out of the 6th pay revision has also been given to the petitioner and payment has been made as would appear from paragraph no.6 to the counter affidavit. It is informed by learned counsel that benefit of 7th pay revision has not been given to the petitioner as the same has not been adopted till date.

2. Considering the statement made in the counter affidavit filed on behalf of respondent No. 3 to 5, the present writ petition is disposed of.

3. As the substantial grievance of the petitioner seems to have been redressed. However, petitioner, if so advised, may file a detailed representation before the Executive Officer, Nagar Parishad, Danapur Nizamat, Danapur, Patna in case any dues still remains to be paid either on account of statutory interest or on account of delayed payment. The respondent No.2, who is directed to pass reasoned order and dispose of the representation of the petitioner within a period of six weeks. He is further directed to ensure payment of any



admissible dues to the petitioner within the said period along with up to date statutory interest. In case of rejection of the claim of the petitioner, the petitioner must be provided with all the relevant records relating to the service period which must reflect that no further payment is required on account of non-payment of salary as claimed by the petitioner. The petitioner in that case must be given proper opportunity of hearing to defend her case and must be allowed to bring on record evidences in support of her claim.

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

(Purnendu Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.06.2023
Transmission Date	

