

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9660 of 2023

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Chandra Devi Wife of Late Dr. Sant Chaudhary, Resident of Plot No. 4M/152,
Bahadurpur Housing Colony, Near Lily Flower School, Opposite Canara
Bank, Bhootnath Road, P.S. - Agamkuan, District - Patna - 800026.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Medical Education and Family Welfare, Govt. of Bihar, New Secretariat Building, Patna.
2. The Additional Chief Secretary, Health Department, Medical Education and Family Welfare, Govt. of Bihar, New Secretariat Building, Patna.
3. The Addl. Secretary, Health Department, Govt. of Bihar, Patna.
4. The Joint Secretary, Health Department, Govt. of Bihar, Patna.
5. The Accountant General, Bihar Patna, Birchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Adv.
For the State	:	Mr. Rajeshwar Singh (Ga10)
For Accountant General	:	Mr. Arun Kumar Arun, Adv.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 04-09-2023

Heard Mr. Dhananjay Kumar Tiwary, learned counsel appearing on behalf of the petitioner, Mr. Rajeshwar Singh, learned counsel appearing on behalf of the State and Mr. Arun Kumar Arun, learned counsel appearing on behalf of the respondents.

2. Learned counsel appearing on behalf of the petitioner submits that the husband of the petitioner namely Late Sant Chaudhary had retired from the post of Civil Surgeon, while



posted at Primary Health Centre, Samastipur. He further submits that the petitioner being widow of the deceased employee has been denied revised family pension and arrears of salary due to the deceased employee for the period from 12.10.1978 to 01.04.1984 and from 01.01.191986 to 01.01.1996 (Annexure-4) on account of financial upgradation, as a result of granting the benefit of A.C.P., M.A.C.P. and other time bound promotion. Learned counsel further submits that the Accountant General, Bihar in compliance of the order dated 25.07.2018, passed in M.J.C. No. 1568 of 2017 had made a communication to the Joint Secretary, Health Department, Government of Bihar, respondent no. 4, vide Letter No. Gen No.: 2931/2022-2023, but he has not taken any steps to respond the said query made by the Accountant General, Bihar. Learned counsel also submits that the Joint Secretary, Health Department, Government of Bihar, respondent no. 4, who is sanctioning authority, has delayed at his end to redress the grievance of the petitioner, as prayed for in the present writ petition.

3. In these backgrounds, learned counsel seeks to file detail representation before the Additional Chief Secretary, Health Department, Government of Bihar, respondent no. 2.



4. The Additional Chief Secretary, Health Department, Government of Bihar, respondent no. 2 is directed to call for the service records relating to the petitioner from the office of the Joint Secretary, Health Department, Government of Bihar, respondent no. 4, who has delayed payment of retiral dues to the petitioner under different heads, as prayed for in the present writ petition.

5. In case, the petitioner is entitled for the relief as claimed for in the present writ petition and in his representation dated 10.03.2023, the Additional Chief Secretary, Health Department, Government of Bihar, respondent no. 2, is directed to ensure payment of remaining amount of retiral dues to the petitioner within a period of three weeks from the date of passing of this order with up to date interest in accordance with law.

6. With the above observation and direction the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

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

