

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13631 of 2019

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Sunita Devi, Wife of Late Raj Kumar, R/o Village and P.O.-Digha Ghat, P.S.-
Digha, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department
2. The Executive Engineer Public Health Division, West Patna, Patna
3. The Accountant General Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate Mr. Priyesh Kumar, Advocate
For the Respondent/s	:	Mr. U.P. Singh, A.C. to S.C.-4.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

9 13-04-2023 Heard Mr. Dhananjay Kumar Tiwary, learned
counsel for the petitioner and Mr. U.P. Singh, learned counsel
for the State.

2. The petitioner has sought for Mandamus directing
the concerned respondents to make payment of death-cum-post
retiral benefits and family pension on account of death of her
husband who had died on 15.01.2019 in harness while he was
posted as Nal Yojak, Public Health Security Control Godown,
Secretariat, Patna.

3. Considering the nature of relief made in the present
writ petition and development which took place during the
pendency of the writ petition, learned counsel appearing on



behalf of the petitioner seeks to file detail representation before the appropriate authority in light of the law laid down by the Full Bench of this Court in L.P.A. No.166 of 2018.

4. Considering the aforesaid submission of the petitioner, the writ petition is disposed of with a direction to the Engineer-in-Chief Mechanical, PHED, Patna to ensure compliance in the light of the Full Court Judgment passed in the case of Amrika Devi (supra) (C.W.J.C. No.10063 of 2012). The respondent No.2 must ensure payment of the admissible retiral dues and family pension of the petitioner, who is the widow of the deceased employee, who died in harness after putting more than 10 years of regular service. The representation of the petitioner is directed to be disposed of within a period of six weeks from the date of the representation.

5. Accordingly, the writ petition is disposed of in aforesaid terms.

(Purnendu Singh, J)

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