

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13646 of 2019

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1. Gyanchand Chandrakar, son of Late Rajendra Prasad Sah, resident of Village-Sripur Beldaur, P.S.-Beldaur, District-Khagaria
 2. Moolchand Chandrakar @ Mulchandra Chandrakar, son of Late Rajendra Prasad Sah Resident of Village-Sripur Beldaur, P.S.-Beldaur, District-Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Primary Education, Bihar
2. The Accountant General, Bihar Bir Chand Patel Path, Patna
3. Collector Khagaria
4. Treasury Officer Khagaria
5. Meena Devi resident of Village - Sripur Beldaur, P.S. Beldaur, District-Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Mukund, Advocate.
For the State	:	Mr. Shankar Kumar Thakur, AC to GP-27.
For the Respondent No.5:	:	Mr. Ranjeet Kumar Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 10-04-2023 Heard Mr. Anil Kumar Mukund, learned counsel appearing on behalf of the petitioners; Mr. Shankar Kumar Thakur, learned AC to GP-27 for the State and Mr. Ranjeet Kumar Singh, learned counsel for the respondent no.5.

2. Learned counsel appearing on behalf of the petitioners submits that the petitioners are son of the legally wedded wife of the deceased employee and they are liable to receive all the pensionary benefits of the deceased employee.

3. Learned counsel appearing on behalf of the respondent no.5 informs this Court that Smt. Meena Devi is the



first wife of the deceased employee and she is entitled for pension.

4. The dispute was taken before the Lak Adalat and an Award was drawn on the basis of compromise entered into between the parties. The same cannot be interfered in the writ jurisdiction.

5. Considering the fact that the petitioners and the respondent no.5 have entered into a compromise and an Award to that effect has been drawn, the present writ petition appears to be not maintainable.

6. The respondent no.5 who is first wife of the deceased employee is receiving family pension and the petitioners who are son of the second wife of the deceased employee are entitled for the ancestral property of the deceased employee.

7. The writ petition has no merit and accordingly, it stands dismissed.

8. However, the petitioners may avail appropriate remedy before the competent Civil Court.

(Purnendu Singh, J)

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