

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11355 of 2023

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Neha Kumari Daughter of Sri Uday Sharma, Resident of Village-Sikariya,
P.O. Babhana, P.S. Paras Bigha, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department,
Government of Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Road Construction
Department, Government of Bihar, Patna.
4. The Chief Engineer, South Bihar, Road Construction Department,
Government of Bihar, Patna.
5. The Superintending Engineer, Road Construction Department, Road Circle,
Ara.
6. The Executive Engineer, Road Construction Department, Road Division,
Buxar./
7. Rajesh Kumar, Son of Sri Madan Sharma, Resident of Village and P.O.
Kalanaur, P.S. Makhdumpur, District-Jehanabad.
8. Vijay Kumar, son of not known to the petitioner, Resident of Village-
Chainpura, P.O. Sakurabad, P.S. Paras Bigha, District-Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam, Sr. Advocate Mr. Awnish Kumar, Advocate
For the State	:	Mr. Mahendra Prasad Verma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 18-09-2023

Heard Mr. S.B.K. Manglam, learned senior counsel
assisted by Mr. Awnish Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Mahendra Prasad Verma,
learned AC to learned SC-20 for the State.

2. Learned counsel appearing on behalf of the
petitioner seeks to file detailed representation before the
Executive Engineer, Road Construction Department, Road



Division, Buxar, with respect to entitlement to receive death cum retiral benefits on account of death of the mother of the petitioner, who had died in harness on 04.06.2021, while she was posted on the post of peon in the office of Executive Engineer, Road Construction Department, Road Division, Buxar. Learned counsel further submitted that petitioner being the adopted daughter and being the nominee is entitled for all the retiral dues and the respondents no. 7 and 8 have no right, who are own brothers of the deceased employee.

3. Considering the submission made on behalf of the petitioner, the petitioner, if so advised, may file a detailed representation before the Executive Engineer, Road Construction Department, Road Division, Buxar, who will take a final decision in accordance with law with respect to the entitlement of the petitioner as to whether she being the adopted daughter of the deceased employee is entitled for death cum retiral benefits payable on account of death of the deceased employee.

4. The representation is directed to be disposed of by a reasoned order within a period of six weeks from the date of filing of the representation.

5. This Court finds that since the petitioner has



limited her prayer for disposal of her representation there is no requirement to issue any notice to the private respondents.

6. With above observations and directions, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	19.09.2023
Transmission Date	N/A

