

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14694 of 2022

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Nirja Yadav Wife of Shri Birendra Kumar Yadav, D/o- Late Ram Payari Devi
Resident of Navin Chandra Ganguli Lane, Bari Khanjarpur, Jagdishpur, P.S.-
Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Engineer, Bihar Public Health Engineering Department, Vishwasraiya Bhawan, Bailey Road, Patna.
2. The Collector Muzaffarpur.
3. The Executive Engineer Mechanical Division, Muzaffarpur.
4. The Collector Nalanda.
5. The Treasury Officer Nalanda.
6. The Accountant General The Government of Bihar, Accountant General Office, Veerchand Patel Path, Patna, Bihar.
7. The Senior Accountant Officer Office of the Accountant General (A and E) II, Veerchand Patel Path, Patna, Bihar.
8. Geeta Devi Daughter of Rajeshwar Prasad Resident of Village- Panchama, P.O.- Baithani, P.S.- Rajgir, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Adv.
For the State : Mr. Arvind Ujjwal (Sc 4)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 31-07-2023

Heard Mr. Rakesh Kumar Shrivastava, learned counsel appearing on behalf of the petitioner and Mr. Arvind Ujjwal learned counsel appearing on behalf of the State.

2. Learned counsel appearing on behalf of the petitioner submits that it is not in dispute that the deceased employee was having relationship with the petitioner. However,



the mother of the petitioner was denied family pension after the death of the employee. He submits that the petitioner, who has claimed to be legal married wife of the deceased employee has filed legal document in support of their respective claim. He has restricted his prayer in the present writ petition only for receiving the legal dues and on account of other retiral dues, which has accrued to the deceased employee.

3. The petitioner seeks to file a detail representation along with succession certificate and no objection certificate from the other biological sons and daughters of the petitioner.

4. The representation of the petitioner must be disposed of by the concerned authority within a period of six weeks.

5. In case the concerned authority finds it proper to summon to the biological sons and daughters of the deceased employee, they have taken birth from either of the wife of the deceased employee are required to be equally paid the retiral dues of the deceased employee.

6. The concerned authority must ensure to consider the law laid down by the Hon'ble Apex Court as welll as the prevailing circular of the State Government.



7. 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

