

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15562 of 2022

Sanju Devi W/o- Late Baldev Yadav R/o- Quarter No. 44/84, New C.I.D. Colony, Shastri Nagar, P.S.- Shastri Nagar, District- Patna, Pin- 800023.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Minor Water Resource Department, Government of Bihar, New Secretariat, Vikash Bhawan, Baily Road, Patna.
2. The Secretary, Minor Water Resource Department, Government of Bihar New Secretariat, Vikash Bhawan, Baily Road, Patna.
3. The Additional Secretary, Minor Water Resource Department, Government of Bihar, New Secretariat, Vikash Bhawan, Baily Road, Patna.
4. The under Secretary,-Cum-DDC Minor Water Resource Department, Government of Bihar, New Secretariat, Vikash Bhawan, Baily Road, Patna.
5. The Registrar, Minor Water Resource Department Government of Bihar, New Secretariat, Vikash Bhawan, Baily Road, Patna.
6. The Chief Engineer, Minor Water Resource Department Government of Bihar, New Secretariat, Vikash Bhawan, Baily Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Advocate
For the Respondent/s : Mr. Anirban Kundu, SC-24

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 24-11-2023

Heard Mr. Ranjit Jha, learned counsel appearing on behalf of the petitioner and Mr. Anirban Kundu, learned SC-24.

2. The petitioner claiming herself to be the widow of Late Baldev Yadav filed the present writ petition for the following reliefs:

i. For issuance of an appropriate writ and order or direction in the nature of



'Mandamus' directing and commanding the concern respondent to make the

(A) Payment of entire arrear of due salary of her husband i.e. December 2012 to Oct. 2013.

(B) Payment of arrear of pension of petitioner from 2013 to Feb. 2022.

(C) Payment of all due death cum retrial benefits to the petitioner on account of her husband who has lost from his duty from 27.11.2012 for that Hon'ble High Court has also directed to the respondents in CWJC No. 10263/2014, MJC No.1689/ 2017 and CWJC No. 25594/ 2019 i.e. Annexures 1, 2 & 3, of this writ petition.

ii. For issuance of any other relief or reliefs to which the petitioner found entitled to.

3. A counter affidavit has been filed on behalf of the respondent nos. 1 to 6, duly sworn by under Secretary, Minor Water Resource Department.

4. A categorical averment has been made that in the light of the order passed by the Hon'ble Court in the earlier point of litigation in CWJC No. 10263 of 2014, all the benefits, including a sum of Rs. 2,07,467/-, against unutilized leave for 300 days, an amount of Rs. 2,27,240/- under the head of GPF, an amount of Rs. 6,36,291/- under the head of Gratuity and Rs. 71,523/- under the head of Group Insurance have already been paid to the petitioner. Further the entire family pension has also been credited in the account of the petitioner. It has also been



submitted that the son of the petitioner has been accorded appointment on compassionate ground. He next submitted that the due arrears of salary of the late husband of the petitioner has also been paid. He, thus, submitted that in the aforementioned facts, the entire grievance of the petitioner has been redressed.

5. The aforesaid contention has been partly refuted by the learned counsel for the petitioner and submission has been made that still certain grievance is pending, which has not been redressed, moreover, the interest over the late payment has not been calculated on the due amount.

6. Considering the submissions made on behalf of the parties, this Court is satisfied that the substantive amount under the retiral benefit and other dues have already been paid to the petitioner, however, even if the petitioner is not satisfied and there is still any grievance, she is at liberty to file a proper representation before the respondent no. 6, preferably within a period of four weeks from today. In case, such a representation is filed, the same shall be considered and disposed of by a reasoned and speaking order, preferably within a period of eight weeks thereafter. Needless to observe, any amount found payable to the petitioner, shall be paid to her within the aforementioned period.



7. This disposes of the present writ petition.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.11.2023.
Transmission Date	NA

