

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1913 of 2018

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Kumkum Devi W/o Late Mohan Jee Prasad R/o Jai Muhalla - Purana Chowk,
P.S. District - Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Madhya Bihar Gramin Bank, Head Office, Meena Plaza, South of Museum, Patna - 1.
3. The General Manager/Chief Manager, Madhya Bihar Gramin Bank, Meena Plaza, South of Museum, Patna -
4. Madhya Bihar Gramin Bank, Regional Office, Brahmchari Ka Katra, Bhabhua, Kaimur.
5. The Regional Manager, Madhya Bihar Gramin Bank, Brahmchari Ka Katra, Bhabhua, Kaimur.
6. The Branch Manager, Madhya Bihar Gramin Bank, Nainijor, Block - Brahmpur, District - Buxar.
7. Regional Provident Fund Commissioner, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate
For the Respondent/s : Mr. Raghwendra Kumar, SC 22

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-09-2023 Learned Counsel for the petitioner seeks permission and is permitted to implead the Regional Provident Fund Commissioner as party respondent no. 7 in course of the day.

2. Heard learned Counsel for the petitioner and the State as also learned Counsel for the respondent nos. 2 to 6.

3. The present petition has been preferred for the following reliefs:-

(i) for issuance of an appropriate



writ/order/direction upon the respondent authorities to reimburse the hundred percent of the medical expenses incurred by the petitioner for the treatment of her late husband. The petitioner is entitled for hundred percent reimbursement as per the bank rules;

(ii) the petitioner further prays for issuance of an appropriate writ/order/direction upon the respondents to grant her the service/pensionary benefits of her later husband and also a direction for appointing one of the member of her family on compassionate grounds.

4. The husband of the petitioner died while serving as the Manager of Nainijor Branch under Bhojpur, Rohtas Gramin Bank on 02.07.2015 at Delhi in course of treatment.

5. Thereafter the petitioner moved before the appropriate authority with multiple prayer which included reimbursement of medical bill, compassionate appointment and/or ex-gratia payment beside as also other benefits.

6. A counter affidavit is on record in which it has been stated that the lady has already been provided the medical claim of Rs. 5,17,508/- as per the norms/circular. Further, the gratuity and leave encashment have also been settled in 2015 itself. Further, so far as the pensionary benefit is concerned, in view of



absence of the Regional Provident Fund Commissioner as party respondent, the same cannot be at present.

7. Learned Counsel for the petitioner submits that to cut-short the matter; she shall be preferring petition before the appropriate authority within four weeks from today for the rest of the grievances.

8. Both the State as also the learned Counsel for the respondent nos. 2 to 6 do not have any objection to it.

9. The petitioner being a widow, any bottlenecks that may come in making payment to her may be ignored as she has lost her husband while he was serving as Manager of Nainijor Branch under Bhojpur, Rohtas Gramin Bank.

10. If such petition is filed within four weeks from today, the concerned respondent will be taking up the same and pass an order within four months from the receipt of the representation. In case she is entitled to the benefits, the same shall be extended to her within the next two months.

11. The writ petition stands disposed of.

(Rajiv Roy, J)

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