

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5072 of 2021

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Sita Muni, W/o Late Ajeet Kumar Pandey, Constable (207), Resident of
Village- Debaria, P.S.- Rohtash, District- Rohtash.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Bihar, Patna.
2. The Director General of Police, Office at Old Secretariat, Patna.
3. The Inspector General of Police, Office at Old Secretariat, Patna.
4. The Superintendent of Police, Nawadah.
5. The Dy. Superintendent of Police, Nawadah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikalp, Advocate

For the Respondent/s : Md. Fazle, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 15-07-2024

Heard Mr. Vikalp, learned Advocate for the
petitioner and Md. Fazle, learned Advocate for the State.

2. The petitioner, who happens to be the widow of
late Ajeet Kumar Pandey (Constable No.207), has filed the
present writ petition seeking a direction upon the respondents to
ensure payment of all the retiral dues as well as gratuity, leave
encashment and pension of her late husband.

3. Learned Advocate for the petitioner contended
that the husband of the petitioner was appointed as a Constable



after his selection in place of his father. The husband of the petitioner was put under suspension and vide Memo No. 207 dated 25.04.2003, a show-cause notice was issued. In response thereto, the petitioner's husband filed a detailed show-cause reply, but it is the contention of the petitioner that it has never been disposed of.

4. On the contrary, a counter affidavit has been filed on behalf of respondent no.4, in which categorical averment has been made that the husband of the petitioner failed to produce any document showing his appointment to be valid; and subsequently thereupon the services of the petitioner's husband was terminated vide District Order No.702 /04 w.e.f. 26.05.2004, copy of which is marked as Annexure-B to the counter affidavit.

5. From the record, it appears that the aforesaid termination order has never been questioned by the husband of the petitioner during his life time and later on he died on 17.11.2010.

6. The services of the husband of the petitioner was terminated way back in the year 2004 and that has never been questioned either by the deceased husband of the petitioner or by the petitioner, in view thereof, this Court does not find any



reason to entertain the writ petition.

7. Accordingly, the present writ application stands dismissed, having no merit.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

