

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3965 of 2022

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Kumkum Devi Wife of Late Ashok Kumar, Resident of Mohall Peer Pahari
Patel Nagar, P.O. Biharsharif, P.S. Laheri, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate cum Collector, Nalanda at Biharsharif.
3. The Establishment Deputy Collector, Nalanda at Biharsharif.
4. The Anchaladhikari, Biharsharif, Nalanda.
5. Kiran Devi, Wife of Mahanand Bhagat, resident of Mohalla Naisarai Sangat
Gali, P.O. Biharsharif, P.S. Bihar, District Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Singh
For the Respondent/s : Mr. Anil Kumar, AC to SC 8

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-01-2024

Heard Mr. Amar Nath Singh, learned counsel
appearing on behalf of the petitioner and Mr. Anil Kumar,
learned counsel for the State.

2. Learned counsel for the State seeks permission to
file counter affidavit.

3. Permission is accorded.

4. Let the same be taken on record.

5. The petitioner claiming herself to be second wife
of late Ashok Kumar who died in harness on 25.10.2015 while
posted as Daftari in the District Record Room under the
Collectorate, Nalanda, has filed the present writ petition seeking
a direction upon the respondents to ensure payment of all the
terminal dues of her husband along with statutory interest.



6. A counter affidavit has been filed on behalf of respondent Nos. 2 to 4. It is submitted on behalf of the respondent State authorities that taking note of the rival claim made on behalf of the first wife and the second wife, an enquiry was conducted and legal opinion has been sought for. Taking note of the enquiry report submitted by the respondent No. 4, the District Magistrate, Nalanda vide Memo No. 94 dated 11.01.2024 directed the office to ensure payment of all the retiral benefits of the deceased employee, Ashok Kumar, to the petitioner, the copy of the order has been brought on record by way of Annexure R/K to the counter affidavit.

7. Considering the decision taken by the District Magistrate, Nalanda, based on the enquiry report, the present writ petition stands disposed of with a direction to the respondent No. 2 to ensure the payment of all the retiral/terminal dues, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

8. This disposes the writ petition.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	23 .01.2024
Transmission Date	

