

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6814 of 2022

Manju Devi W/o Late Narendra Sharma, Resident of Kothlyan, Kothia, P.S.-
Shahpur, District- Patna, Bihar- 801105.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Housing Department, Government of Bihar.
2. The Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Chief Engineer-cum-Special Secretary, Public Health Engineering Department, Government, Bihar, Patna.
4. The Superintendent of Engineer, Public Health Patna Circle, Patna.
5. The Executive Engineer, Public Health Division, Patna West, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar, Advocate
For the State	:	Mr.Arvind Ujjwal (Sc 4)
		Mr. Upendra Pratab Singh, AC to SC-4

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 24-01-2024 The present writ petition has been filed
seeking the following reliefs:-

"1(i) For issuance of a Mandamus writ in the nature of commanding the respondent authorities to allow the benefit of terminal allowance to the petitioner of her husband working as Public Health Branch Central on the post of Employer, Public Health Branch Central working in Bhandara, Patna, who died on 17.04.2021 due to the global pandemic covid-19.

(11) For directing the respondent authorities



to fix the pay scale to which the petitioner was entitled and on that basis grant the retirement benefit to the petitioner as the junior colleagues of the petitioner received better remuneration than the petitioner.

(iii) For directing the respondent authorities to release the financial assistance of Rs. 4 lakhs to the petitioner.”

2. At the outset, the learned counsel for the respondent-State seeks to file a counter-affidavit on behalf of the respondent no.2, which has already been filed online. Let the same be taken on record.

3. The learned counsel for the respondent-State has submitted by referring to the counter affidavit that the entire outstanding amount required to be paid to the petitioner qua her deceased-husband has now stood paid and as far as the pensionary benefits are concerned, the same are not payable to the petitioner in terms of resolution no.5547 dated 03.07.2009, issued in terms of judgment dated 04.02.2019, passed in LPA No.166 of 2018 and analogous cases, by the learned Full Bench of this Court.



4. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to avail such other remedies as are otherwise available under the law for redressal of her subsisting grievances. Liberty so sought is granted.

5. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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