

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23096 of 2012

Mostt. Deo Munni Devi, W/O Late Braj Bihari Prasad Sinha, R/O Village-Kumhawa, Via- Jehanabad, District- Jehanabad, Presently Residing At Near T.V. Tower, Anjali Gas Agency, Chitragupta Lane, Mahatma Gandhi Nagar, Kankarbagh, Patna-800026

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Conservator Of Forest, Bihar, Patna
3. The Forest Conservator, Muzaffarpur Circle, Muzaffarpur
4. The Forest Conservator Cum Range Director Balmiki Tiger Project, Bettiah
5. The Bihar State Forest Development Corporation Ltd. 13, Patliputra Colony, Patna-13

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Singh, Advocate
For the Respondent/s : Mr.Md. Fazle Karim, AC to SC 1

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-09-2024 Heard Mr. Ashutosh Singh learned counsel appearing on behalf of the petitioner and Mr. Md. Fazle Karim learned AC to SC 1 for the State.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“(a) For directions to the respondents to grant second time bound promotion to the deceased husband of the petitioner namely Late Braj Bihari Prasad Sinha and subsequently pay the difference of the amount to the petitioner.

(b) For any other relief/reliefs for which the petitioner may found entitled there too.”



3. Considering the relief as sought for in the present writ petition and pendency of the writ petition, which has been filed in the year 2012, and no counter affidavit has been filed till date, I find that the petitioner, if so advised, may file a detailed representation before the Principal Chief Conservator of Forest, Bihar in respect of the relief, as claimed for in the present writ petition.

4. In case, the petitioner files a detailed representation for redressal of her grievance, the Principal Chief Conservator of Forest, Bihar is directed to call for the service particulars of the late Braj Bihari Prasad Sinha, who was initially appointed on the post of Lower Division Assistant and thereafter he was promoted to the post of Upper Division Assistant and Division Assistant and retired on 31.01.1992 from the post of Divisional Assistant and died in the year 2003 and to fix the family pension of the petitioner in accordance with law. In case, the petitioner's deceased husband was entitled for promotion and he was stagnated on the said post, the petitioner's husband was entitled for all financial up-grdation in accordance with law.

5. The authorities must consider the representation of the petitioner expeditiously, considering the fact that petitioner is a widow and the present writ petition has been kept pending



before this Court since the year 2012 and no counter affidavit has been filed till date.

6. If the petitioner finds that due to inaction of the Principal Chief Conservator of Forest, Bihar, her vital right of receiving family pension has been denied, which according to the several decisions of the Apex Court, amounts to property as per the mandate of Article 300 A of the Constitution of India, she would be at liberty to take appropriate action against him/her..

7. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

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