

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13441 of 2021

Nirdula Jha, Wife of Late Maheshwar Jha, Resident of Village and Post Office- Malikaur, Via- Dighra, P.S.- Pusa, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Environment and Forest Department, Patna.
2. The Chief Forest Conservator State of Bihar, Patna.
3. The Accountant General Bihar, Patna.
4. The Divisional Forest Officer-cum- Deputy Director Valmiki Tiger Project Division-2, Valmikinagar, District- West Champaran.
5. The Divisional Forest Officer Tirhut Development, Forest Division, Muzaffarpur.
6. The Project Director Champaran Forest Project Circle, Bettiah.
7. The Divisional Forest Officer- Cum- Deputy Director Valmiki Tiger Project Division-1, Bettiah, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Advocate
For the Resp-State	:	Mr. Rajat Kumar Tiwari, Advocate
For the AG, Bihar	:	Ms. Ritika Rani, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 09-09-2024

Head Mr. Ranjan Kumar, learned counsel for the petitioner and Mr. Rajat Kumar Tiwari, learned counsel for the State. The Accountant General, Bihar is represented by Ms. Ritika Rani, learned counsel.

2. The husband of the petitioner was superannuated on 31.03.2002 as Forest Guard from the office of Divisional Forest Officer-cum-Deputy Director, Valmiki Tiger Project Division-1, Bettiah. Subsequent thereto, the petitioner's husband died on



11.09.2005. While the petitioner was in service, a departmental proceeding was initiated, leading to the order of punishment, which came to be passed on 16.10.2004.

3. On being aggrieved, the petitioner filed CWJC No. 14094 of 2010 before this Court for quashing of the inquiry report dated 05.05.1994 as well as the order of punishment dated 16.10.2004. The inquiry report as well as the order of punishment came to be quashed vide order dated 07.09.2018 in CWJC No. 14094 of 2010, directing the respondent authorities to ensure payment of all the consequential benefits of the husband of the petitioner in revised scale.

4. Despite the order of this Court, when the petitioner has not been accorded the retiral benefits of her late husband in revised scale, she approached this Court by filing the present writ petition.

5. A counter affidavit has been filed on behalf of respondent no.7, wherein it has categorically been averred in paragraphs no. 9 to 19 that in compliance with the order of this Court dated 07.09.2018 in CWJC No. 14094 of 2010, all the retiral and its consequential benefits have been paid to the petitioner.

6. At this stage, learned counsel for the petitioner



submitted that the petitioner has not been accorded the interest over the delayed payment of GPF. It is further contended that the petitioner is an old hapless lady and still certain grievances are left to be redressed.

7. Considering the categorical averments made in the counter affidavit that all the substantive retiral benefits of late husband of the petitioner in revised scale have been paid to the petitioner, this Court deems it appropriate to close the writ petition.

8. However, the petitioner shall be at liberty to file a proper representation before the concerned authorities, in case her grievance still subsists.

9. The writ petition stands closed.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12-09-2024
Transmission Date	

