

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16018 of 2021

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Isha Rana D/o - Late Ishrat Pravin and Jawed Ahmad r/o - Flat No. 202, Surya Smanpura Enclave, Indrapuri, Razabajar, Rukanpura, Post and P.S. - B.V. College, District- Patna, Bihar 800014.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Home Department, Bihar, Patna.
2. The Director General of Prosecution, Bihar, Patna.
3. The Joint Secretary, Home (Police) Department, Government of Bihar, Patna.
4. The Deputy Secretary, Home (Police) Department, Government of Bihar, Patna.
5. The Divisional Prosecution Officer, Patna Division, Patna.
6. The District Prosecution Officer, Patna.
7. The Sub-Divisional Prosecution Officer, Danapur, Civil Court, Patna.
8. The Director Provident Fund, Pant Bhawan, Jawaharlal Nehru Road, Bailey Road, Patna - 800001.
9. The Accountant General A and E, Bihar, Birchand Patel Patha, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Roona, Adv.
For the Respondent/s : Mr. Md. N. H. Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

11 13-11-2024 Heard the parties.

2. Despite the fact that the mother of the petitioner who was serving as an Assistant Prosecution Officer, Gaya died in harness on 11.05.2021 leaving behind her two daughters, out of whom one is before this Court, till date, she has not been accorded the family pension and the gratuity amount.

3. Learned Advocate for the State has taken this Court

to the averments made in the supplementary counter affidavit filed on behalf of respondent nos. 2 to 4 and respondent no. 8. It is urged before this Court that all the admissible amounts under the head of group insurance, earned leave and general provident fund has already been paid. It is further contended that vide Letter No. 925 dated 13.05.2024, the Directorate Prosecution, Bihar, Patna has informed the petitioner for submitting requisite paper for payment of rest of the retiral admissible dues (family pension and gratuity). Reminders have also been sent for submitting the requisite paper, but till date the same has not been done.

4. In view of the averments made in the supplementary counter affidavit, this Court deems it apt and proper to direct the petitioner to ensure submission of all the requisite papers before the concerned respondents, preferably within a period of two weeks from today.

5. In case the requisite papers are submitted before the concerned authorities, the authority shall take all the efforts to ensure the payment of remaining admissible family pension and gratuity, preferably within a period of twelve weeks thereafter.

6. It is made clear that, within the stipulated period, if the petitioner has not been accorded the

admissible pension/gratuity, the concerned respondent shall be under obligation to ensure statutory interest over the delayed payment.

7. The writ petition stands disposed off with a direction aforesaid.

(Harish Kumar, J.)

Jyoti Kumari/-

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