

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11221 of 2024

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Asgari Bano Wife of Late Haidar Ansari @ Late Haidar Ali Ansari, resident of Mohalla-Fida Hussain Road, Jehanabad, P.O. and P.S.-Jehanabad, District-Jahanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Co-Operative Department, Government of Bihar, Patna.
2. The Chairman Biscoman, Biscoman Bhawan, Gandhi Maidan, Patna.
3. The Managing Director, Biscoman Bhawan, Gandhi Maidan, Patna.
4. The Account Officer, Establishment Account Biscoman Bhawan, Gandhi Maidan, Patna.
5. The Special Officer Administration Secretary cum Member, Biscoman, Biscoman Bhawan, Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dhaneshwar Prasad Gupta, Advocate
For the BISCOMAN	:	Mr.Ashish Giri, Advocate
For the Res.no.1	:	Dr.Md.Raisul Haque, SC 10

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2024 Heard Mr. Dhaneshwar Prasad Gupta, learned counsel appearing on behalf of the petitioner; Mr. Ashish Giri, learned counsel for the BISCOMAN and Dr. Md. Raisul Haque, learned SC 10 for the State.

2. Petitioner is aggrieved by the inaction on the part of the BISCOMAN and its authorities, who have not made payment of the salary due to the husband of the petitioner from the year, 1997-2006. The petitioner, who is the widow of the deceased employee, has estimated a sum of Rs.3,07,000/- due to



her husband. The petitioner has filed a representation in compliance of order dated 01.09.2023 passed in CWJC No.14499 of 2015 but the authorities have shown no consideration and in violation of the order passed in CWJC no.14499 of 2015 have kept the representation of the petitioner pending.

3. The petitioner, who is the widow, can not be treated by the public authority and even though BISCOMAN is not amenable to writ jurisdiction. I find that the terminal benefits, as well as, the due salary are required to be paid to the petitioner.

4. Mr. Ashish Giri, learned counsel appearing on behalf of the BISCOMAN has rightly admitted that in the case of the *Organizer , Dehri C.D. and C.M. Union Ltd. Fazalganj vs State of Bihar & Others* reported in *AIR 2014 Patna 67* the payment has been made in the chronological order and in the light of the said judgment of the Hon'ble Full Bench, the respondents are required to make payment of due salary of her husband without fail.

5. Considering the admission made on behalf of the BISCOMAN, this Court finds that the BISCOMAN and its authorities should take up the case of the petitioner in accordance with the chronological order.



6. With the above observation/direction, the present writ petition is disposed of.

(Purnendu Singh, J)

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