

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19571 of 2021

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1. Rinki Kumari daughter of Late Naresh Prasad Roy and Wife of Awinash Kumar, resident of Anand Bagh Colony, Bhikhanpur, Gumti No. 12, Bhagalpur, P.S. Ishakchak, District-Bhagalpur, Bihar.
 2. Pinki Kumari, daughter of Late Naresh Prasad Roy and Wife of Kailashpati Mandal, resident of Mungeria Para, Dhrubangal, Seva Samiti Ground, Asansol, P.S. Asansole, District-Bardhwan, West Bengal-713325.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Home Department, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Sr. Superintendent of Police, Siwan.
4. The Police Incharge, Siwan Police Station, District-Siwan.
5. The Sr. Superintendent of Police, Bhagalpur.
6. The Police Incharge, Jagdishpur Police Station, District-Bhagalpur.
7. The Treasury Officer, Siwan.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Devi Das Srivastava, Adv.
For the State	:	Mr.P.K. Verma, AAG-3
		Mr.Suman Kumar Jha, AC to AAG-3
For the Respondent/s	:	Mr.Binod Kumar Labh, SC

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-02-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.(a) For issuance of the writ in the nature of mandamus directing and commanding the respondents to pay death cum retirement benefits such as gratuity, encashment, group G.P.F. Insurance leave and other benefits to the petitioners, as their mother Geeta Devi wife of



late Naresh Prasad Roy, who was posted as constable at Siwan Police station district Siwan, and died on 30.08.2020 while she was in service.

b) For issuance of the writ in the nature of mandamus directing and commanding the respondents to make an enquiry about actual death of Geeta Devi and an appropriate action may be taken against accused, as the petitioners have suspicion about death of their mother Geeta Devi and she might be killed by some person only with an intention to grab her property and take appointment in her place.”

2. At the outset, the learned counsel for the respondents seeks to file a counter affidavit on behalf of the respondent no.3, which is taken on record, wherein an order dated 05.02.2024, passed by the Superintendent of Police, Siwan, has been annexed, whereby and whereunder a decision has been taken to deposit all the death-cum-retiral dues of the deceased employee in the joint account of the petitioners.

3. The learned counsel for the petitioners submits that till date, no amount has been deposited in the joint account of the petitioners.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Superintendent of Police, Siwan to ensure deposit of the amount of the death-cum-



retiral dues of the deceased employee, i.e. the mother of the petitioners, in their joint account, within a period of four weeks from today, failing which, the Superintendent of Police, Siwan shall not draw his salary.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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