

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17252 of 2023

=====

Ila Devi W/o- Ram Bilas Singh, Resident of - Dumri, Ward No.7, Police Station-Mufassil (Singhaul OP), P.S - District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Through its Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
2. District Collector Cum President Compassionate Committee, Begusarai.
3. The Superintendent of Police, Begusarai
4. The Superintendent of Police, Bhagalpur
5. Most. Sweta Devi W/o Late Sanjeev Kumar R/o- Panhas, P.S- Nagar, District- Begusarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Ms.Akanksha Malviya Mr. Akash Keshav Dr. Shuchi Bharti
For the Respondent/s	:	Mr.Md. Nadim Seraj (Gp5)

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 08-02-2024 Supplementary affidavit filed by the petitioner is taken on record.

2. Heard the parties.

3. The petitioner has sought for the following reliefs:-

a) For directing the Private Respondent to provide sustenance to the petitioner and his wife, who are unable to maintain themselves as the private respondent was appointed on compassionate grounds after the death of the only son of the Petitioner.

b) For holding that the Private Respondent having appointed on compassionate ground on the death of her husband (Late Sanjeev Kumar) who was the son of the petitioner is bound to maintain the dependant parents of her deceased husband and by not doing so, certain amount from her



salary may be paid to the Petitioner for his/ their sustenance.

c) For directing the respondent no. 2 and 3 to prevail upon the Private Respondent to fulfill her liability which is put on her by different rules/notifications in respect to the appointment on compassionate grounds and in case of her defiance a certain part of her salary may be deducted for payment to the petitioner.

d) For Directing the Respondent No.2 & 3 to act upon various complaints written by the Petitioner, further to provide protection to the petitioner as the act of the Respondent authorities is violative of the Article 21 of the Constitution of India and also Protection of Life and Property of Senior Citizens (Section 22).

4. It has been submitted by learned counsel for the petitioner that an application under Section 5 of the Bihar Maintenance and Welfare of Parents and Senior Citizens Act, 2007 has been filed before the Sub-divisional Magistrate, Begusarai on 06.02.2024. It has also been mentioned by the petitioner that the details of the Respondent No. 5 has been given in paragraph No. 3 of the aforesaid supplementary affidavit i.e., Sweta Devi, Constable No. 560, P.S. Jamalpur, Munger which is under Bhagalpur Range.

5. The Sub-divisional Magistrate, Begusarai will proceed in the matter in accordance with law and decide the same within thirty days. He may pass an interim order in favour of the petitioner.

6. The question of maintenance from the Respondent



No.5 who has got compassionate appointment shall also be considered by the Magistrate. He may pass an order for maintenance of the petitioner from the salary of the Respondent No. 5.

7. With the aforesaid observations and directions, this application is disposed of.

8. Let a copy of the order be communicated to the District Magistrate, Begusarai through FAX/e-mail forthwith for compliance of the order.

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

