

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4095 of 2022

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Yogendra Ram Son of Late Batoran Ram, Resident of Gumti No. 3, Mangal Bazar, Dashbhuji Mandir, Post-Munger, P.S.-Kotwali, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The District Magistrate, Munger.
3. The Mayor, Munger Municipal Corporation, Munger.
4. The Municipal Commissioner, Munger Municipal Corporation, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Jha, Adv.
For the State	:	Mr.Subhash Pd. Singh, GA 3
For the Corporation	:	Mr. K. N. Sahay, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 25-07-2025

Heard the parties.

2. On account of inaction of the Municipal Corporation, Munger in not extending the death-cum-retiral benefits of the erstwhile employee, who died in harness on 11.05.2021 while working as Sweeper, the petitioner, who happens to be her husband, approached this Court seeking a direction upon the respondent Municipal Corporation to ensure payment of her death-cum-retiral benefits.

3. A counter affidavit has been filed on behalf of respondent nos. 3 and 4. It is specifically contended that the amount of gratuity and salary as well as arrears of salary on account of 6th Pay Revision for certain period, as has been



disclosed in para-7, has been paid to the petitioner.

4. Learned Advocate for the Corporation submits that since the Corporation is facing financial crunch and running in lack of sufficient fund, hence payments are being made to the employees in a phase wise manner. It is further submitted that bills have already been prepared for payment of arrears of all concerned from April 2009 to March 2010 under the 6th Pay Revision. It is also made clear that the provident fund amounts of the employees are deposited in separate account of the employees and they are at liberty to withdraw the same.

5. Considering the stand of the Municipal Corporation, Munger, this Court deems it fit and proper to dispose of the writ petition with a direction to the respondent no. 4 to ensure payment of rest of the due amount, preferably within a period of 12 weeks from the date of receipt/production of a copy of this order.

6. The writ petition stands disposed of.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	28.07.2025
Transmission Date	

