

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5793 of 2022

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Mosmat Baijanti devi @ Bajanti Devi, Wife of Lte Anil Kumar, Resident of Mohalla-M.L.A. Flat, Golamber Pani Tanki, Patna. P.s.-Kotwali, District-Patna.

... .. Petitioner/s

Versus

1. The Municipal Commissioner, Patna Municipal Corporation, Patna.
2. The Additional Municipal Commissioner, Patna, Municipal Corporation, Patna.
3. The Finance Officer, Patna Municipal Corporation, Patna.
4. The Executive Officer, Nutan Rajdhani Circle, Patna Municipal Corporation, Patna.
5. The Branch Manager, Life Insurance Company, Patna. Mandal

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar, Adv.
For the Respondent/s	:	Mr. Satish Kumar, Adv.
For the P.M.C.	:	Mr. Ranjeet Kumar Pandey, Adv.
For the L.I.C.	:	Mr. Rajni Kant Singh, Adv.
	:	Mr. Rakesh Kumar, Adv.
	:	Mr. Manish Kumar, Adv.
	:	Mr. Sandeep Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

7 09-01-2025 Heard Mr. Abhay Kumar, learned Advocate for the petitioner and Mr. Ranjeet Kumar Pandey, learned Advocate for the Patna Municipal Corporation. Mr. Rajni Kant Singh, learned Advocate for the Life Insurance Company as well.

2. The husband of the petitioner died in harness while working as Sweeper Supervisor in Patna Municipal Corporation, Patna. On account of non-payment of the admissible retiral benefits and other dues, she approached this Court by filing the present writ petition. On the last occasion when the matter was

taken up on 28.11.2024, this Court had directed the respondent nos. 4 and 5 to settle the claim of GIC by satisfying the query as raised by the two offices and also clarify the petitioner with regard to amount of GIC and also the query made by the petitioner as to under which pay scale, the petitioner has been accorded with the retiral benefits.

3. In compliance with the order of this Court, a supplementary counter affidavit has been filed on behalf of the respondent nos. 1 to 4. It has been categorically averred that the death-cum-post retiral benefits and other benefits was calculated on the basis of 6th pay revision and an amount of Rs. 3,58,356/- was sanctioned and paid to the petitioner. So far the claim of the petitioner with respect to the group insurance is concerned, it is contended that the admissible amount under the GIC had already been sanctioned vide order as contained in Memo No. 11214 dated 08.09.2023 and an amount of Rs. 51,294/- has been paid to the petitioner. The entitlement of the petitioner under the different heads has been duly described in the counter affidavit as well as supplementary counter affidavit.

3. Learned Advocate for the petitioner, however, contended that in absence of any calculation chart, the petitioner who happens to be a hapless illiterate widow, is unable to satisfy

herself. It is further contended that the petitioner has not been accorded with the interest over the delayed payment.

4. Considering the submissions advanced, this Court does not find it appropriate to continue with the writ petition and accordingly the present writ petition stands disposed. However, if the petitioner has still any grievance with regard to calculation and unpaid claim, the petitioner may approach before the concerned Executive Officer within a period of eight weeks from today, with substantive statements.

5. Suffice it to observe that in case such a representation is filed, the same shall be considered and disposed of by a reasoned order.

6. The writ petition stands disposed off.

(Harish Kumar, J.)

Jyoti Kumari/-

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