

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10519 of 2024

Vimala Kumari wife of Late Sh. Prem Prakash Panday, resident of Kuraich Mahaveer Sthan, P.O.-Sasaram, District-Rohtas, Bihar-821115.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar, Patna.
2. The Deputy Secretary, General Administration Department, Patna, Bihar.
3. The District Programme Officer, Establishment, Kaimur, Bhabua, Bihar.
4. The District Education Officer, Kaimur, Bihar.
5. The District Magistrate, Kaimur, Bhabua, Bihar.
6. The Accountant General, Bihar, Birchand Patel Path, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Priyajeet Pandey, Adv. Ms. Megha, Adv. Mr. Kaustubh Kumar, Adv. Ms. Aastha Pandey, Adv.
For the State	:	Mr. Prashant Pratap, GP 2 Mr. Asit Kumar Jha, AC to GP 2
For the AG	:	Mr. Ram Yash Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-04-2025

Heard the parties.

2. The husband of the petitioner died in harness on 26.07.2023 while working as Headmaster at Girls Middle School, Mohania, Kaimur. Notwithstanding the aforesaid fact when the death-cum-retiral benefits and other dues have not been paid to the petitioner, she approached this Court by filing the present writ petition.

3. Learned Advocate for the petitioner at the outset submits that during the pendency of the writ petition all the substantive death-cum-retiral benefits have been paid to the



petitioner, except salary for the period October 2016 till the death of the petitioner’s husband.

4. Learned Advocate for the State referring to the averments made in the counter affidavit filed on behalf of the respondent no. 3 has submitted that all the admissible retiral benefits have been extended to the petitioner; however he is unable to find any response in the counter affidavit with regard to the claim for salary of the erstwhile employee.

5. Considering the submissions advanced on behalf of the learned Advocates for the respective parties as also the nature of the left over grievance, the writ petition stands disposed of with a direction to the respondent nos. 3 and 4 to examine the claim of the husband of the petitioner for salary since October, 2016 till his death, preferably within a period of 12 weeks from today and ensure payment of all the admissible amount, in accordance with law, failing which the petitioner shall be entitled to get interest over the delayed payment as per the prevalent Bank rate.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.04.2025
Transmission Date	

