

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19707 of 2024

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Ranju Devi wife of Late Kamal Kishor, resident of Village-Mokama,
Moldiyar Tola, PS-Mokama, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Chairman, Nagar Parishad, Mokama.
3. The Executive Officer, Nagar Parishad, Mokama.
4. The Cashier-cum-Establishment Assistant, Nagar Parishad, Mokama.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sushant Praveer, Advocate
For the Respondent/s	:	Mr. Divit Vinod, AC to SC-26
		Mr. Arabind Nath Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner, learned

AC to SC-26 for the State and learned counsel for the Nagar

Parishad, Mokama.

2. The present application has been filed for the
following reliefs:-

(i) For directing the respondents to pay the death-cum-retiral benefits to the petitioner being wife of the deceased employee, namely, Late Kamal Kishore, who died in harness on 19.11.2018 while working as Surveyer in the Nagar Parishad, Mokama.

(ii) For directing the respondents to pay the family pension as also the arrears of family pension to the petitioner with interest at the rate of 12% till the date of realization of the said arrears of family



pension which is due to the petitioner since the death of her husband.

(iii) For any relief for which the petitioner is found entitled to.

3. Learned counsel for the petitioner submits that in this case, counter affidavit has been filed on behalf of the respondent no.2 and 3. The only stand taken is that petitioner gave consent at the time of granting compassionate appointment in favour of her son. It is in this background that the consent given at the time of grant of compassionate appointment is being cited as the sole reason behind non-grant of pensionary benefits to the petitioner, as the appointment was given with the caveat that the petitioner may not claim pensionary benefits. He further submits that there is no bar to grant pensionary benefits to a person, who has been given compassionate appointment as applicable in law. In response, the counsel for the Nagar Parishad submits that the petitioner may be directed to file a representation before the Empowered Standing Committee, Nagar Parishad, Mokama and once such a representation is filed giving details of such benefits, which accrues to her as per the provisions of law, the Empowered Standing Committee, Nagar Parishad, Mokama will be obliged to consider the same within a



period of four weeks and necessary decisions, which is taken shall be communicated and the benefits which accrues to her on account of such decision having been taken, the same shall be extended within two weeks, thereafter.

4. With the aforesaid direction and observation, this application stands disposed of.

(Ajit Kumar, J)

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