

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16319 of 2023

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Pande Anjaliben, W/o Late Ravindra Kumar, R/o Majhauri Gardh, P.S.-
Khairi, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Development Department,
Govt. of Bihar, Patna.
2. The Deputy Development Commissioner, Jamui, Distt- Jamui.
3. The District Magistrate, Jamui
4. The District Provident Officer, Munger.
5. The Accountant General Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG- 4
		Mr. Sanjay Prasad, AC to AAG- 4

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 06-07-2026

Heard learned Advocate for the petitioner and the

State.

2. The petitioner, who claims to be the wife of late
Ravindra Kumar, has approached this Court seeking a direction
upon the respondents to pay death-cum-retiral benefit as well as
fixation of family pension.

3. It is submitted that the petitioner's husband was
appointed on the post of Panchayat Rojgar Sewak vide letter no.
504 dated 05.08.2010 at Pandarak, district Patna under District
Rural Development Authority. While the husband of the



petitioner was in service, he was transferred to different place and subsequently died on 07.10.2019. However, till date neither any ex-gratia nor any death-cum-retiral benefit has been given.

4. A counter affidavit has been filed on behalf of respondent nos. 2 and 3 and it is submitted that appointment of the petitioner's husband was contractual in nature and as the husband of the petitioner was all along unauthorizedly absent from his service w.e.f. August, 2017, an explanation had been called for, which was duly responded but the same was not found fit for consideration, and consequently he was removed from his service in terms with Clause 11 of the agreement. The said order of dispensing the services of the petitioner's husband has never been assailed.

5. At this juncture, learned Advocate for the petitioner submits that since the husband of the petitioner was facing hardship and under treatment at that point of time, he could not challenge the order of termination, in the meanwhile, he died on 07.10.2019.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and upon perusal of the averments made in the counter affidavit, this Court is of the considered view that the petitioner's husband was working



on a contractual basis in terms with an agreement and on being found unsuited, due to unauthorized absence, he was removed from service, which order was never put to challenge, besides no provision or any scheme/agreement has been shown with respect to admissibility of detach-cum-retiral benefit and family pension, the writ petition sans any merit and accordingly stands rejected.

7. However, it is made clear that the rejection of the writ petition would not come in the way of the petitioner to claim any other monetary benefit, including honorarium which was accrued in favour of her husband, if she approaches before the competent authority for redressal of such grievance.

8. In case, she files a representation before the competent authority, the same shall be considered and disposed of in accordance with law, based upon the materials available on record.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
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