

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8582 of 2016

=====

Sushma Sharma W/o Late Devendra Kumar, R/o New Harni Chak, Amba Nagar, P.O.- Anisabad, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Excise Department, Government of Bihar, Patna
3. The Superintendent of Excise, Department Biharsharif, P.S.- Biharsharif, District- Nalanda
4. The District- Provident Officer, Biharsharif, Distt- Nalanda
5. Priyanka Kumari Daughter of Shri Arun Singh and W/o late Dilip Kumar R/o Village P.O. -Kamta, P.S. Hathiyama, Distt. Sheikhpura.
6. Rani Kumari W/o Sri Chittaranjan Kumar Singh R/o Village- Rauniya, P.S. Khidar Sarai, Distt. Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Jha, Advocate
For the Respondent no.5 : Mr. Dinesh Maharaj, Advocate
For the State : Mr. Anuj Kumar, AC to SC-12

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 12-07-2023

Heard Mr. Shashank Shekhar Jha, learned counsel appearing on behalf of the petitioner; Mr. Dinesh Maharaj, learned counsel appearing on behalf of the respondent no. 5 and Mr. Anuj Kumar, learned AC to SC-12 appearing on behalf of the State.

2. In compliance of the order dated 18.02.2020 passed in present writ petition, the parties have mutually agreed to equally distribute the retiral benefits payable to the deceased employee between the sons and the heirs of the sons of the first wife and the second wife and the petitioner who is second wife



of the deceased employee is satisfied with the family pension and it has been admitted the retiral dues will be paid back to the surviving heirs of the deceased employee who have taken birth out of co-habitation of his first wife.

3. In case parties are aggrieved, they can avail appropriate remedy for equal distribution of the share as per the provision of Article 300-A of the Constitution and in case the distribution as has been agreed by the parties is not done in the manner prescribed, parties may avail appropriate civil remedy before the competent court having jurisdiction.

4. With the above observations and directions, the present writ petition stands disposed of.

5. This Court appreciates the indulgence and steps taken by both the parties.

(Purnendu Singh, J)

Mantreshwar/-
Minu/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.07.2023
Transmission Date	N.A.

