

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 5680 of 2013

With

I.A. No.1440 of 2019

Most. Parwati Devi

..... Petitioner

Versus

1. State of Jharkhand
2. The Secretary, Department of Water Resources,
Government of Jharkhand, office at Nepal House,
P.O. + P.S- Doranda, Distt- Ranchi
3. The Chief Engineer, Uttar Koel Project Division,
P.O. + P.S- Medininagar, District- Medininagar.
4. The Executive Engineer, Uttar Koel Project Division,
PO +PS- Medininagar, District Medininagar
5. Accountant General A & E Jharkhand State,
Office at Doranda, AG More, Ranchi Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner	: Mr. Prakash Kumar, Advocate
For the Resp. State	: Ms. Shilpi, Advocate
For the Acctt. General	: Mr. Sudarshan Srivastava, Advocate

04/ 08.09.2021 Heard through V.C.

I.A. No.1440 of 2019:

The instant interlocutory application has been preferred by the applicant for substituting the name of legal heir as mentioned in paragraph 2 of this application as the original petitioner died on 10.12.2018.

In view of the averments made in the instant application, I.A. No.1440 of 2019 is allowed.

Registry is directed to make necessary correction in the cause title of the writ application by making Laxman Sao as petitioner as mentioned in paragraph 2 of this interlocutory application.

W.P.(S) No. 5680 of 2013:

The instant writ application has been preferred by

the petitioner for quashing the order dated 17.09.2012, issued pursuant to the order passed by this Court in W.P.(S) No.7753 of 2011, whereby the entire claim of the petitioner for payment of retiral benefits along with other consequential benefits has been rejected.

A counter affidavit has been filed in this case which transpires that all admissible dues/retiral benefits has been paid to the original petitioner and the claim of regular pension has not been admitted on the ground that he has worked only for 4 years and 5 months and since he has not completed 10 years of pensionable service, same is not admissible.

In view of the aforesaid facts and circumstances of this case it is clear that the original petitioner was not entitled for the regular pension. Consequently, this writ application is hereby disposed of in view of the specific averments in the counter affidavit that admissible dues have already been paid. However, the liberty is left with the legal heir/present petitioner to raise his grievance, if any admissible dues are yet to be paid.

With the aforesaid observation, the instant writ application stands disposed of.

(Deepak Roshan, J.)