

(2001) 02 JH CK 0035
In the Jharkhand High Court
Case No : CWJC No. 1276 of 1999

Kanchan Srivastava

APPELLANT

Vs

Bihar State Rd. Transport Corporation and Others

RESPONDENT

Date of Decision : 09-02-2001

Acts Referred:

Citation : (2001) 02 JH CK 0035

Hon'ble Judges : S.N. Mishra, J

Bench : Single Bench

Advocate : Sujit Narayan Prasad, for the Appellant; P.P.N. Roy, for the Respondent

Judgement

S.N. Mishra, J.—The widow of the deceased employee has approached this Court by filing the instant writ application for a direction to the respondent-Corporation to pay the retiral dues including the arrears of salary, legally payable to her husband, who died in harness on 14.12.1997. Admittedly, nothing has been paid so far to the petitioner. In this case, a counter-affidavit has been filed where from it appears that the liability to pay the retiral dues including the salary for the period in question has not been denied. However, it is stated that the petitioner comes in the second phase and, accordingly, the Corporation is paying 75% of the gratuity and CPF amount to its retired employees in accordance with the date of their retirement. The petitioner, admittedly, comes within the second phase of the scheme framed by the State Government pursuant to the direction issued by the Supreme Court. Accordingly, the respondent Corporation is directed to pay all the admitted dues, legally payable to the husband of the petitioner, in accordance with the scheme. framed by the State Government, pursuant to the direction issued by the Supreme Court, within three months from the date of receipt/production of a copy of this order. So far as the prayer for appointment on com passionate ground is concerned, this Court, at this stage, is not inclined to pass any positive order. However, it will be open for the petitioner to file a representation before the respondent authority who will consider the

same in accordance with law within the same period. This disposes of this writ application.

2. Application disposed of.