
(2005) 02 JH CK 0015
In the Jharkhand High Court
Case No : Writ Petition (S) No. 679 of 2005

Kaushalya Devi

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 17-02-2005

Acts Referred:

Citation : (2005) 2 JCR 356

Hon'ble Judges : S.J. Mukhopadhaya, Acting C.J.

Bench : Single Bench

Advocate : A. Allam and R. Bardhan, Alok Lal, for the Appellant; Azimuddin, JC to GP 1, for the Respondent

Judgement

S.J. Mukhopadhaya, A.C.J.

1. According to the petitioner, her husband late Madan Mohan Prasad No. 1, was Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Cabinet (Vigilance), Technical Examination Cell (Rural Development Department). While in service, her husband was not paid the arrears of salary on revision of pay for the period from 1st May, 2000 to 14th November, 2000 i.e. the period he was in the services of combined State of Bihar as also for the period from 15th November, 2000 to 31st July, 2003 i.e. the period while he was under the State of Jharkhand. He subsequently died on 5th June, 2004.

2. In the present case, grievance has been made that the respondents have not yet paid her the aforesaid benefits, and including the provident fund amount, to which her husband was entitled to.

3. Counsel for the State submitted that if the petitioner brings her grievances to the notice of the competent authority, it will be looked into.

4. In the facts and circumstances, the case is remitted to the Commissioner-cum-Secretary, Road Construction Department, Government of Jharkhand, Ranchi, which is stated to be the parent department of the deceased employee, who will

take up the matter with the Secretary, Rural Development Department, Government of Jharkhand, Ranchi and the Road Construction Department, Government of Bihar, Patna, and determine the claim within three months from the date of receipt/production of a copy of this order.

5. If any amount is found payable, the respondents will pay the same to the widow of the deceased employee within one month thereof i.e. within a total period of four months from the date of receipt/ production of a copy of this order.

6. However, if one or other authority disputes the claim or part thereof, he will communicate the ground to the petitioner.

7. The writ petition, stands disposed of with the aforesaid observations and direction.