
(2011) 10 JH CK 0020

In the Jharkhand High Court

Case No : Writ Petition (S) No. 4477 of 2010

Smt. Sushma Sinha

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 10-10-2011

Acts Referred:

Citation : (2011) 10 JH CK 0020

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Judgement

D.N. Patel

1. Learned counsel for the petitioner submitted that suffice it will be for disposal of this writ petition, if a direction is given to respondent no. 1 to treat this writ petition as a representation and decide the claim of the petitioner, by passing a detailed speaking order, in accordance with law and within stipulated time, as given by this Court.

2. I have heard learned counsel for the respondents, who has submitted that they have no much objection, if such a direction is given to respondent no. 1 to treat this writ petition as a representation and decide the claim of the petitioner, by passing a detailed speaking order, in accordance with law and within stipulated time, as given by this Court.

3. In view of these submissions, I hereby direct respondent no. 1 to treat this writ petition as a representation and decide the claim of the petitioner for pension of the husband of the petitioner till his death and, thereafter, family pension and such other retirement benefits. The husband of the petitioner retired on 31st August, 1999 and expired on 22nd August, 2009. The decision will be taken by respondent no. 1 keeping in mind the decision rendered by this Court in the case of Bharti Prasad Thakur v. Sidhu Kanhu University, Dumka & Ors., reported in (2002) 1 LJ 491 and also keeping in the mind the decision rendered by the Division Bench of this Court vide order dated 22nd December,

2006 in W.P. (S) No. 2859 of 2004, by passing a detailed speaking order, in accordance with law, rules, regulations, policies and Government enforceable orders, applicable to the petitioner, as expeditiously as possible and practicable, preferably within a period of twelve weeks from the date of receipt of a copy of the order of this Court, after giving an adequate opportunity of being heard to the petitioner or to her representative.

4. If the decision is taken in favour of the petitioner for making payment of the amount, the same will be paid along with statutory interest to the petitioner, within further period of four weeks, thereafter.

5. In view of the aforesaid directions, this writ petition is disposed of.