

IN THE HIGH COURT OF JHARKHAND AT RANCHI**W.P.(S) No. 593 of 2020**

Mina Devi, aged about 51 years, wife of late Kaleshwar Pramanik, resident of village Narkopi, P.O. and P.S. Dumdumi, District-Dhanabad.

..... Petitioner

Versus

1. The Jharkhand Mineral Area Development Authority, (Statutory Authority incorporated under the Jharkhand Mineral Area Development Authority Act, 2000) through its Managing Director, Mineral Area Development Authority, Dhanbad

2. The Secretary, Jharkhand Mineral Area Development Authority, Dhanbad

3. Chief Medical Officer, Jharkhand Mineral Area Development Authority, Dhanbad

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Tarun Kumar No. 1, Advocate

For the Respondent-JMADA: Mr. Santosh Kr. Jha, A.C. to Mr. Mahavir Pd. Sinha.

02/Dated: 30/06/2020

1. Heard, Mr. Tarun Kumar No. 1, learned counsel for the petitioner and Mr. Santosh Kumar Jha, learned counsel for the respondent-JMADA.

2. This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

3. Petitioner has preferred this writ petition for direction upon the respondents to make payment of death-cum-retiral benefit of the husband of the petitioner who died in harness i.e. arrear of A.C.P., 6th Pay Revision, 50% D.A., Salary increment, D.A., gratuity, provident fund with interest, group insurance, interim relief, regional allowance, leave encashment, arrear of 6th Central Pay Revision and other retiral benefits along with interest.

4. Mr. Tarun Kumar No. 1, learned counsel for the petitioner submits that the husband of the petitioner was appointed on the post of Khalasi in the year, 1983 and he died in harness on 31.10.2018. The petitioner has already approached the respondent-Jharkhand Mineral Area Development Authority by way of annexure-2 series, but no decision has been taken as yet.

5. Mr. Santosh Kumar Jha, learned counsel for the respondent-JMADA submits that the petitioner may be directed to approach the respondent no. 2 by filing fresh representation and if such representation is filed the respondent no. 2 shall take decision in accordance with law.

6. Accordingly, the petitioner is directed to move before the respondent no. 2 by filing fresh representation within a period of four weeks from today. If such representation is filed within the aforesaid period, the respondent no. 2 shall take decision in accordance with law, rules, regulations particularly, scheme framed by the Jharkhand Mineral Area Development Authority for payment of such benefit to the employee of JMADA, within a period of eight weeks thereafter.

7. With the aforesaid observation and direction, the writ petition is disposed of.

(Sanjay Kumar Dwivedi, J.)

Satyarthi/