

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3779 of 2015

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Mostt. Raj Mahal Kunwar, W/o Late Raktu Singh, resident of Village-
Jamunapur, P.S.- Amahra, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education , Govt. of Bihar ,Patna.
3. The District Education Officer, Patna.
4. The District Programme officer (Establishment), Patna.
5. The District Provident Funds Officer, Patna.
6. The Treasury Officer, Patna.
7. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Lochan, Adv
For the Respondent/s : Mr. Sunil Kumar AC to SC 2.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

5 21-05-2015 Heard learned counsel for the parties.

Pursuant to the order of this Court dated 18.05.2015, second supplementary counter affidavit has been filed, wherein, the District Programme Officer (Establishment), Patna has brought on record the authority slip issued by the office of Accountant General dated 19.05.2015, which would go to show that the amount of family pension/gratuity has been authorized. He has brought on record the letter dated 19.5.2015,



containing communication made to the Treasury Officer, Danapur for making payment of the amount of family pension both arrears and current as also gratuity to the tune of Rs. 44,286/-.

In view of the aforesaid development which of course has taken place on account of orders passed by this Court dated 23.03.2015, 16.04.2015 and 18.05.2015, it would be found that the grievance of the petitioner raised in this writ application stands redressed by way of payment of all death cum retirement benefit of the husband of the petitioner, headmaster, in the Government Middle School, Barah, Vikram, Patna.

That being so, this application is disposed of but then the District Programme Officer (Establishment), Patna being responsible in causing delay in payment of the amount of family pension of the petitioner for a period over 18 years in getting the payment of final family pension beyond the amount of provisional pension and gratuity paid to the petitioner, this Court

would award cost of Rs. 10,000/-which must be paid to the petitioner by the District Programme Officer (Establishment), Patna within a period of one month from today.

It goes without saying that now when everything has been cleared, the Treasury Officer, Danapur must ensure that whatever has been ultimately found payable to the petitioner either on the head of arrears, current family pension or gratuity, must be paid to the petitioner within a period of seven days from the date of receipt of this order.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

Ranjan/-

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