

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13518 of 2015

Barulan Bibi widow of Late Md. Sahim, resident of village Kaithi, Police Station Sonhan, District- Kaimur (Bhabhua).

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Bihar, Patna
2. The Director, Training & Research Institute, Road Construction Department, Bihar, Patna
3. The Deputy Director, Training & Research Institute, Road Construction Department, Bihar, Patna
4. The Accountant General, Bihar, Patna
5. The Treasury Officer, Kaimur (Bhabhua)

.... Respondents

Appearance :

For the Petitioner/s :

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 07-12-2015

Heard learned counsel for the parties.

Pursuant to order dated 13.11.2015 counter affidavit has been filed on behalf of respondent no. 4 in which copy of authority dated 27.11.2015 has been brought on record.

Learned counsel for the petitioner draws the attention of the Court to the authority letter and submits that the petitioner is a resident of district Kaimur whereas the authority has been issued to the Treasury Officer, Aurangabad. From the pleadings it appears that the sanction order in favour of the petitioner dated 12.11.2015, addressed to the Accountant General, Bihar had also mentioned that

authority be issued in favour of the petitioner addressed to the Treasury Officer, Aurangabad.

It is apparent that the petitioner had applied to the authority concerned for grant of family pension disclosing her residence in the district of Kaimur and thus in view of the right of pensioner to receive pension from the place he or she desires, it was incumbent upon the authorities to ensure that the sanction order was made in favour of the petitioner keeping in mind her place of residence, especially when she had not requested for making such payment from any other place.

Learned counsel for the State submits that the author of the sanction letter dated 12.11.2015 shall send a corrigendum to the Accountant General, Bihar for making correction with regard to the Treasury Officer to whom the authority has to be addressed by substituting the Treasury Officer, Aurangabad by the Treasury Officer, Kaimur (Bhabhua). He assures the Court that the same will be forwarded by day after tomorrow through special messenger. Upon the same being received, learned counsel for the respondent no. 4 assures that fresh authority letter would be issued addressed to the Treasury Officer, Kaimur (Bhabhua) within three working days from the date of receipt of such corrigendum.

In view of the aforesaid, the writ application stands

disposed off in terms of the assurance given by learned counsel appearing for the State as well as the Accountant General, Bihar. The Court would only observe that the Treasury Officer, Kaimur (Bhabhua) shall ensure that actual payment is made to the petitioner within one week from the date of receipt of the authority letter issued by the respondent no.4. For the said purpose, the petitioner shall also appear before the respondent no.5 along with a copy of this order for completing the formalities within one week from today.

(Ahsanuddin Amanullah, J)

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