

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.11704 of 2001**

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Vijay Singh, son of late Manohar Singh, resident of Village- Jalalpur, P.S. Lalganj,  
District Vaishali

.... .... Petitioner/s

Versus

1. The Union of India through Ministry of Home Affair, Lok Nayak Bhawan, New Delhi.
2. Secretary, Home Department, Government of India, Lok Nayak Bhawan, New Delhi.
3. Under Secretary, Minister of Home, Freedom Fighter Division, Union of India, Lok Nayak Bhawan, Khan Market, New Delhi
4. The State of Bihar
5. The Director-cum-Joint Secretary, Home (Special) Department, Government of Bihar, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Nityanand,  
For Union of India : Mr. Ravinder Kumar Sharma,  
For the State : Mr. Upendra Pratap Singh, AC to SC 25  
Mr. S.K. Mallick, AC to SC 25.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 27-03-2015**

Heard learned counsel for the petitioner and learned  
counsel for the State.

In the present writ petition, petitioner is claiming for  
family pensions under the Freedom Fighter's Pension Scheme,  
1992 claiming that his father late Mahohar Singh was freedom  
fighters as father of the petitioner was accused in Lalganj P.S.  
Case No.80 of 1942, 81 of 1942 and 82 of 1942 and on that  
account he remained in jail custody from 1942 to 1946.. In  
paragraph 4 of the writ petition it has been claimed that mother



of the petitioner was also a freedom fighter As has been claimed the petitioner could not establish themselves in the life on account of active participation in the freedom struggle. He has further stated that during freedom fighter movement, to maintain the family, father of the petitioner sold the ancestral land for meeting the expenses of the family. It has been claimed that he has received Tamra Patra on behalf of his father for his contribution for the freedom of this country.

The petitioner filed several representations but no substantive action has been taken by the State Government or Central Government. As it is very old matter the petitioner is directed to file a fresh representation before the State. If such an application is filed the State Government will be obliged to consider the case of the petitioner, if the State would find favour with the petitioner he will recommend the case of the petitioner to the Central Government and in turn the Central Government will also consider the case of the petitioner and pass an order in accordance with law.

The State Government is directed to complete the whole process within a period of three months from the date of filing the representation and the Central Government is directed to dispose of the matter within the same period after the receipt

of the recommendation by the State Government.

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

(Shivaji Pandey, J)

Vinay/-

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