

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17056 of 2015

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Jaiwanti Devi Wife of Late Dwarika Sah, Resident of Village - Jaintpur, P.S. - Saraiya, Dist.-Muzaffarpur

.... Petitioner

Versus

1. The Chief Manager, State Bank of India , Jaintpur Branch (4888), P.S.-Saraiya, Dist.-Muzaffarpur
2. The Asst. General Manager, State Bank of India, Centralized Pension Processing Centre, 4th Floor, Administrative Office Building, J.C. Road, patna

.... Respondents

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Appearance :

For the Petitioner :

For the Respondents :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 01-12-2015

Heard learned counsel for the parties.

Pursuant to order dated 23.11.2015, counter affidavit has been filed on behalf of respondents no. 1 and 2.

The writ petitioner was aggrieved by the fact that she was getting family pension after deduction of Rs.1800/- per month with effect from February, 2013 and later on from July, 2015 the same was also stopped.

However, from the counter affidavit it transpires that the family pension was paid to the petitioner but later the deduction was increased from Rs.1800/- to Rs.2200/- per month, the reason being that there was corresponding increase in the amount of family pension payable to the petitioner.

Without going into the finer details of the matter, it appears that the Bank has been increasing the amount of actual recovery. This Court, being a Court of Equity also, finds that a widow in her last phase of life facing day to day problems which keep on increasing as well as medical treatment being expensive, deems it appropriate to dispose off the matter with a direction upon the respondent Bank to restrict the recovery of Rs.2200/- per month till the time the amount is adjusted. The petitioner shall, thus, be paid family pension admissible to her after deducting only a sum of Rs.2200/- per month and upon the excess amount paid to her being adjusted, 100 per cent pension shall be restored.

(Ahsanuddin Amanullah, J)

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