

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14541 of 2010**

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Smt. Monisha Banerjee W/O (Late) Manas Banerjee R/O Vill.- Anil Bhawan, Chakanawada, P.O.- Dalsinghsarai, Distt.- Samastipur, At Present Residing At Asha Niwas, Navin Mitra By Lane, Burdwan Compound, Ranchi

... .... Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner-Cum-Secretary, Water Resources Department Government of Bihar, Patna
3. Deputy Secretary, Water Resources Department, Government of Bihar, Patna
4. Accountant General, Bihar, Patna
5. Superintending Engineer, Tirhut Canal Circle, Muzaffarpur

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mukul Sinha, Advocate.

For the Respondent/s : Mr. (Gp14)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL JUDGMENT**

12 05-05-2015

Heard learned counsel for the parties.

2. At the end of the day, the five years old litigation comes to an end, while this writ application was filed on 31.08.2010 seeking the following relief:

*"1.(i) For an appropriate writ/order/direction to the Respondents for payment of post retiral benefits to the employee-husband of the petitioner with effect from the date of his superannuation of service i.e. from 30.06.1999 till the date of his death on 01.12.2009 along with arrears and the revision of pension from time to time for which he was entitled.*

*(ii) For an appropriate writ/order/direction to pay the arrears of salary alongwith annual increments dt. 1.1.96 and also for payment of the arrears in the revised pay scale with effect from 1.1.96 till the date of superannuation on 30.06.1999.*

*(iii) For an appropriate writ/order/direction to the Respondents for payment of Family pension to the petitioner with effect from the date of death of her husband employee of the petitioner 1.12.2009 till date alongwith all the arrears and revision from time to time for which she is entitled. Petitioner also prays for further direction for payment of*

*family pension in future also."*

3. Mr. Mukul Sinha, learned counsel for the petitioner, now heaving regard to the earlier order of this Court dated 20.01.2015, relevant portion whereof reading as follows:

*"2nd Supplementary counter affidavits have been filed on behalf of respondents no. 2 and 3 as well as the Accountant General, Bihar, Patna. As per the stand of the respondents, actual payment now has to be made by the Treasury Officer, Ranchi who is also the authority for making the calculation both with regard to payment under the revised scale as well as merger of 50% D.A. with the basic pay after 6th pay revision and calculating the pension with effect from 01.01.2005.*

*In view of the aforesaid, learned counsel for the petitioner as well as the respondents shall take up-to-date instructions from their respective clients. Learned counsel for the State shall also make efforts to ensure that appropriate instructions are received from the Treasury Officer, Ranchi.*

*The Court expects that if the petitioner approaches the Treasury Officer, Ranchi, she shall be provided with necessary information regarding actual calculation on which payments have been made by the Treasury Officer, Ranchi to her."*

submits that though payment to the tune of Rs. 16 lacs and odd has been made to the petitioner but the Treasury Officer, Ranchi has not given the complete break up of the amount on the heads of retirement benefit for which payment was made to the petitioner.

4. This Court now, therefore, having found that the matter remains only on calculation and the petitioner, being the widow of the deceased employee, namely, Manas Banerjee, who was working as an Assistant Engineer in Irrigation Department (now Water Resources Department) and after retirement on 30.06.199, had died on 1st December 2009, would deem it

expedient in the ends of justice to direct all concerned including the Treasury Officer, Ranchi to ensure that a break up of the amount paid to the petitioner by way of death-cum-retirement benefits of her husband late Manas Banerjee, must be furnished to her within a period of three months from the date of receipt of a copy of this order.

5. It goes without saying that if, on receipt of such computation/calculation, the petitioner feels that there was some short of payment of any of the head, she may draw attention of the concerned authorities whereafter necessary decision may be taken in accordance with law.

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

**(Mihir Kumar Jha, J)**

Sujit/-

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