

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17639 of 2011

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Luxmi Yadav S/O Late Bangali Yadav R/O Village- Maheshpur, P.S.- Sour
Bazar, District- Saharsa Petitioner/s

Versus

1. The Union Of India Through Of Home Ministry, Govt. Of India, New Delhi
 2. The Joint Secretary Government Of India, Ministry Of Home Affairs, Freedom Fighter Division, Lok Nayak Bhawan, Khan Market, New Delhi
 3. The Deputy Secretary Govt. Of India, Ministry Of Home Affairs, Freedom Fighter Division, Lok Nayak Bhawan, Khan Market, New Delhi
 4. The Uner Secretary Government Of India, Ministry Of Home Affairs, Freedom Fighter Division, Lok Nayak Bhawan, Khan Market, New Delhi
 5. The State Of Bihar Through The Secretary, Government Of Bihar, Patna
 6. The Director - Cum - Joint Secretary Of Government Of Bihar Home (Special) Department, New Secretariat, Baily Road, Patna
 7. The Under Secretary Home (Special) Department, Patna
 8. The District Magistrate, Saharsa
 9. The Treasury Officer, Supaul Respondents
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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 03-08-2015 The petitioner prays for a direction to the respondents
to grant him freedom fighter Samman pension.

The petitioner submits that he took part in several freedom movements. For one of such movements in 1942, a criminal case, namely, which Kisunganj Police station Case No. 9 vide GR No.921/1942 (Annexure 1) had also been lodged showing 45 persons as absconders including the petitioner. In paragraph 9, he states that similarly situated co-accused of that case, namely, Shiv Dayal, Maskora Sharma, Luxmi Narayan

Singh, Khusilal Mehta, Deo Narain Mehta, Jadunandan Mandal, Jotilal Swarnakar, Brahmdeo Mehto, Jagdeo Mehta and others have already been granted freedom fighter Samman pension. He submits that the State Government had earlier recommended his case. However, the Central Government sought certain clarification from the State Government.

Counter affidavit has been filed by the authorities of the Central Government. In paragraph 9 they state that the district authorities of Madhepura has not confirmed the name of the petitioner on the basis of their available records of GR No.921/171/42 as was done in the case of Shri Yadunandan Mandal. In paragraph 8 they state that reply of certain queries are awaited from the State Government in respect of petitioner's case.

The writ petition is disposed of with direction to the State authorities to respond to the queries of the Central Government within two months from the date of receipt of this order. Thereafter, the latter would take appropriate decision in the matter within further two months.

(Samarendra Pratap Singh, J)

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