

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5162 of 2015

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Ashoka Rani Mishra, wife of Late Kshirod Mohan Mishra, resident of
Mohalla Purab Sarai Sahay Lane near town outpost District- Munger.
.... Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University through its Registrar.
 2. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
 3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
 4. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Radha Raman Verma, Advocate.

For the Respondent/s : Mr. Rajendra Kumar Giri, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 23-04-2015

Heard learned counsel for the parties.

2. having regard to the very limited prayer of the
petitioner in this writ application, relevant portion whereof reads
as follows:

*"1.i. Directing the respondent University to sanction and for
payment of family pension in revised pay scale w.e.f.
01.01.2006 and payment of difference of family pension and
dearness allowance from April 2007 to October 2014.*

*ii. Further for direction to the respondent University for
payment of family pension and relief with 50% merger in
basic pension w.e.f. 01.01.2005 to March 2007 in the revised
pay scale of 01.01.1996."*

and the grievance reflected in para-10 of the writ application to the
following effect :

*"10. That, it appears that on the said representation of the
petitioner the University issued memo no. ACC/5456 dated
12.01.2015 whereby the family pension of the petitioner was*

fixed @ of Rs. 13920/- without revision in the pay scale w.e.f. 01.01.2006 and also without 50% merger in the basis pay."

this Court, keeping in view that the petitioner has already been paid family pension, would direct the respondents to ensure that whatever revised pension is payable to her should be paid within a period of three months from the date of receipt of this order.

3. It goes without saying that if the petitioner is also found entitled for merger of dearness allowance in the basic pay in determination of the amount of family pension that also must be considered and granted in accordance with law to the petitioner.

4. With the aforementioned observation and direction, this writ application is disposed of.

(Mihir Kumar Jha, J)

Sujit/-

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