

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23315 of 2011

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Miss Shakuntala Kumari D/O Late Bodhi Singh R/O Vilalge - Kinjr, P.O.
- Nagla Kinj, P.S. - Karpi, District – Arwal Petitioner
Versus

1. The State Of Bihar Through The Joint Secretary, Home (Special) Department, Bihar, Patna
 2. The Under Secretary, Home (Special) Department, Freedom Fighter Cell, Bihar, Patna
 3. The Deputy Secretary, Home (Special Department), Freedom Fighter Cell, Bihar, Patna
 4. The Collector, District - Arwal
 5. The Union Of India Through The Home Secretary, Govt. Of India, New Delhi
 6. The Under Secretary, Govt. Of India, Ministry Of Home Affairs, Freedom Fighters Division Lok Nayak Bhawan, Khan Market, New Delhi
 7. The Chief Manager, Punjab National Bank, Regional Office 3rd Floor, Shahi Bhawan, Exhibition Road, Patna
 8. The Branch Manager, Punjab National Bank, Shankarur Imamganj Branch, Paliganj, District - Patna Respondents
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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Respondent/s : Mr. Shyam Kishor Sharma, GA3

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 04-08-2015 Heard learned counsel for the petitioner, learned Addl.

Solicitor General for the Union of India, the State and the bank,

The case of the petitioner is that she is unmarried daughter of Late Bodhi Singh, a freedom fighter. She was sanctioned family pension vide letter dated 17.9.1997 against her father's freedom fighters Samman pension quota and thereafter she was receiving pension regularly through Punjab National Bank, Paliganj. It appears that a Division Bench of this court took *suo moto* cognizance in view of newspaper reporting



that undeserving persons are receiving freedom fighter pension on basis of fake and forged papers. In view of direction of the division bench, the Union Government directed an enquiry and as such the case of many pensioners including petitioner were scanned. In course of scanning, it transpired that the petitioner was not entitled for family pension of late Bodhi Singh. Two grounds were cited for the same. Firstly, she is married and secondly she is not the daughter of Bodhi Singh. A criminal case, namely, Paliganj Police station Case No. 0033/2000 u/s 419,420,467,468,470,471 & 120B IPC was instituted in which she was acquitted in absence of evidence vide judgment dated 17.1.2011. The petitioner submits that suspension of family pension was subsequently revoked.

In changed circumstances, the Central Government had sought the response of the State Government. There is nothing on the record to suggest the response of the State Government. As such, I direct the State Government to forthwith respond to the query of Central Government within three months from the date of receipt of a copy of this order. On receipt of such response, the Central Government would take appropriate decisions with respect to continuance of family pension to the petitioner.

A serious view of the matter would be taken, if the State Government does not respond to the Central Government's letter within the time frame indicated in this order.

The writ petition is thus disposed of with aforesaid directions.

(Samarendra Pratap Singh, J)

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