

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18049 of 2011

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Suresh Prasad, son of Late Mahabir Prasad, resident of Mohall- Daroga
Kuan Hilsa, P.S. Hilsa, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar
2. The Accountant General (A & E), Bihar, Patna.
3. The Senior Accountant Officer, Office of A.G. (A & E), Bihar, Patna.
4. The Collector, Nalanda
5. The Sub-divisional Officer, Hilsa, Nalanda
6. The Treasury Officer, Nalanda, Biharsharif.
7. The Sub-Treasury Officer, Hilsa, Nalanda
8. The Anchal Adhikari, Hilsa, Nalanda.

.... Respondents

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Appearance :

For the Petitioner : Mr. Jharkhandi Upadhyay
For the State : Mr. Ajoy Kumar Singh A.C. to S.C.2
For Accountant General : Mr. Ajeet Kumar.

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 14-01-2015 Heard learned counsel for the petitioner and learned
counsels for the State and for the Accountant General, Bihar.

The petitioner has filed the writ application for a
direction to the respondents for resuming the payment of family
pension which was being paid to the petitioner under the Pension
Payment Order No.S/99835 till 4.1.2006.

From the pleadings of the parties, it appears that the
petitioner was being paid the family pension until the son of the
petitioner reported that his father had re-married with one Renu
Devi. Therefore, the respondents have come to the conclusion that
the petitioner has re-married with said Renu Devi and is living

together.

Learned counsel for the petitioner submits that there are other reports also, including that of the Circle Officer as also an affidavit sworn by the son of the petitioner to show that the petitioner had not re-married with the said Renu Devi.

Be that as it may, such disputed question of fact cannot be decided in writ proceedings.

The writ application is, accordingly, disposed of with liberty to the petitioner to take recourse to appropriate proceedings in the matter.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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