

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7416 of 2015

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1. Urmila Devi, Wife of: Late Radhe Shyam Singh, Resident of: Pachhim Tola, Deans Tank, P.S. Town P.S., District: Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
3. The Chairman, Nagar Parishad, Arrah.
4. The Arrah Municipal Corporation, through its Commissioner, Arrah, Bhojpur.
5. The Chief Executive Officer, Arrah Municipal Corporation, Bhojpur, Arrah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh

For the Respondent/s : Mr. Gp12-Madhuresh Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 13-05-2016

Heard the counsel for the petitioner and the State.

The husband of the petitioner served the Arrah Municipal Corporation (for short 'the Corporation') as Office Superintendent. Upon his superannuation, it is stated, he was in receipt of pension. The husband of the petitioner later died on 11.2.2015. The writ application prays for a direction upon the respondent Corporation for payment of family pension. Unfortunately, the writ application does not enclose any resolution/order/circular which entitles her to grant of family

pension.

Counsel for the petitioner states that the provision for grant of family pension upon the death of the pensioner is admissible to the employees of the respondent-Corporation. In this regard, he has drawn attention of the Court to some observation of the Hon'ble Apex Court in the case of **Sanchari Devi & Ors. vs. Ara Municipal Corporation & Ors. reported in 2015 (1) PLJR (SC) 370**. The petitioner, therefore, seeks a direction upon the respondents to consider her claim on a representation filed in this regard.

Consequently, the application stands disposed of permitting the petitioner to file a fresh representation before the Chief Executive Officer of the Corporation (respondent no.5). If any such representation is filed within 04 weeks, the said respondent will examine/consider the representation and take appropriate decision and/or pass appropriate orders in accordance with law as quickly as possible preferably within 06 weeks of such filing/presentation.

(Kishore Kumar Mandal, J)

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