

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1568 of 2015

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Most. Rajpati Devi w/o Late Ramgovind Singh, resident of Village-
Paheljpur, P.S.- Goreakothi, district- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Human Resource
Department, Patna Bihar.
2. The Bihar School Examination Board, Patna.
3. The Chairman, Bihar School Examination Board, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Respondent/s : Mr. Girish Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 16-05-2016 Heard Mr. Ranjan Kumar Dubey, the counsel for

the petitioner, Mr. Girish Kumar, the counsel for the

respondents-State as well as the counsel for the respondent-Bihar

School Examination Board.

2. The matter relates to payment of family pension in

the revised pay scale owing to enforcement of the Sixth Pay

Commission report. She, therefore, wants a revision of the

family pension and payment thereof.

3. In paragraph 6 of the counter affidavit, it is stated

that before the implementation of the Sixth Pay Commission, the

petitioner was in receipt of family pension in the scale of

Rs. 1913/-, whereas after revision in the light of the Sixth Pay

Commission, she is getting her family pension under the revised scale of Rs. 3500/-.

4. On the strength of aforesaid, It has been submitted by the respondent-BSEB that the grievance of the petitioner has been addressed. Mr. Dubey, points out that the dues on account of revision of family pension is said to have been paid from April 2007 to May 2010, only. The counter affidavit is silent about the payment of family pension after May, 2010.

5. Mr. Girijish Kumar, on instruction, clarified that the statement has been made with respect to payment of arrears of family pension on account of revision of the family pension which could not earlier be authorized/paid. The petitioner is supposed to be in receipt of the family pension thereafter as per the revision.

6. Be that as it may, considering the facts and circumstances of the case, I am satisfied, the matter merits to be disposed of permitting the petitioner to approach the Secretary of the Bihar School Examination Board, if it is found that the family pension as revised upon implementation of the Sixth Pay Commission is not being paid to the petitioner beyond May 2010. If any such application is filed, I am sure the respondent shall redress the grievance of the petitioner and/or take appropriate

decisions in accordance with law as quickly as possible preferably within one (03) weeks’ of such filing of the representation/application along with a copy of the present order.

(Kishore Kumar Mandal, J)

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