

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6037 of 2015

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1. Dilabas Devi @ Parvati Devi wife of Late Kapil Ram Resident of Village + P.O.- Dindir, P.S.- Haspura, District- Aurangabad. at Present Mohalla- Maurya Vihar, At + P.O.- Khagaul, P.S.- Khagaul, District- Patna.

.... Petitioner/s

Versus

1. The Allahabad Bank through the General Manager, Head Office, Allahabad Bank, Kolkata.
2. The General Manager, Head Office, Allahabad Bank, Kolkata.
3. Deputy General Manager, Allahabad Bank, Zonal Office, Patna.
4. Regional Manager, Allahabad Bank, Sitapur, Uttar Pradesh.
5. Branch Manager, Allahabad Bank, Sahjahanpur, Uttar Pradesh.
6. Branch Manager, Allahabad Bank, Phulwarisharif, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Sharma

For the Respondent/s : Mr. Ajay Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 10-05-2016

Heard.

A counter affidavit on behalf of the respondent Allahabad Bank (for short 'the Bank') is filed. There is no rejoinder to the same.

The petitioner claims herself widow of an employee of the Bank. She has prayed for a direction upon the respondent to sanction and pay the family pension to her. The husband of the petitioner was in receipt of the pension until he died in 2013.

In the counter affidavit, the respondent Bank in para-4 has stated as under:-

“4.That it is respectfully submitted

that the petitioner in the present petition has claimed payment of family pension despite the fact that Allahabad Bank Pension Scheme (Old), i.e. the Scheme under which Late Kapil Ram was being paid pension, did not contain any provision for payment of family pension. All the terminal benefits of Late Kapil Ram were duly released by the Bank, as per his entitlement, during his life time and no amount is left payable in this regard.”

Annexure-A is the copy of the Bank Pension scheme

(old) . It is stated that the name of the petitioner or any of the family members of the Kapil Ram is not recorded. Pension under the old scheme was paid to the husband of the petitioner consequent upon his option at the time of his retirement, for payment of pension in lieu of payment of admissible gratuity, as per the provisions of the Old Pension Scheme. The other dues such as CPF amount etc. with interest was paid to the husband of the petitioner. Statements in this regard have been made in paragraph nos. 8 and 9 of the counter affidavit.

Seen thus, it appears the claim of the petitioner is not well grounded. The application is dismissed.

(Kishore Kumar Mandal, J)

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