

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16598 of 2014

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Dr. Arjun Prasad Singh son of Sri Uchit Singh, Presently posted as District Indigenous Medical Officer, Katihar, District - Katihar and permanently resident of Mohalla - Ramnagar, Bishanpur, P.O. Mirzapur Vondurar, P.S. Begusarai, District – Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Finance Department.
2. The Accountant General, (A & E), Bihar, Patna.
3. The Senior Account Officer, Bihar, Patna.
4. The District Treasury Officer, Begusarai.
5. The District Education Officer, Begusarai.
6. The District Education Establishment Officer, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate
For the Respondent-State : Mr. Rajiv Roy, G.P.-5
For the A.G. (A &E) : Mr. Satyendra Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-02-2016

Learned counsel for the parties are present.

The petitioner while questioning the order dated 31.08.2012 passed by the Senior Account Officer in the office of the Accountant General, Bihar, Patna has also prayed for direction to the respondents including the State respondents to make payment of the arrears of family pension as well as the allowances found admissible to the petitioner in respect of his deceased wife who was holding the post of a Primary Teacher in the Education Department.

Having heard learned counsel for the parties this Court is satisfied that the order dated 31.8.2012 of the Account Officer requires no indulgence and is in tune with the provisions of the Family Pension Scheme as enforced vide memo no.PEN-

103/64/9505F dated 3.10.1964 which in Note 2 attached to paragraph 7 holds a widow/widower ineligible to such pension on their re-marriage. So far as the claim regarding arrears of pension and the amount towards dearness allowance on the family pension is concerned, in my opinion the petitioner would be well advised to raise his claim before the appropriate authority which as informed by Mr. Rajiv Roy, learned G.P.-5 would be the District Education Officer, Begusarai.

Needless to mention that any such claim raised by the petitioner would be considered by the respondent no.5, the District Education Officer or the authority concerned and be disposed of in accordance with law expeditiously and preferably within three months from the date of receipt/production of the copy of this order.

(Jyoti Saran, J)

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