

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11185 of 2016

S. A. Asif Ozair, son of late S.M. Ozair, resident of D-7, Sapna Apartment-1, Naya Tola, Bari Path, P.S.- Pirbahore, Patna-800004.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Accountant General, Bihar, Patna.
3. The Branch Manager, Central Bank of India, Moradpur Branch, Ashok Raj Path, Patna-800004.

.... Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Madhukar Mishra, A.C. to S.C.-16

Mr. Ajay Kumar Sinha

Mr. Kameshwar Prasad Gupta

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 22-10-2016

Heard.

The writ petitioner is the son of the recipient of the family pension. The writ application was filed for a direction upon the respondents to enhance pension amount of his mother in accordance with the circular of the government which entitles the widow to receive higher pension on attaining age of 80 years and further higher pension on pensioner attaining age of 85 years.

Indisputably, the pensioner has died. The matter was considered in the light of the stand taken by the respondent Central Bank of India (for short 'the Bank') as well as the State on 17.09.2016 when appreciating the stand taken by the respondent Bank, a further affidavit was required to be placed on record. In the light of the said order, I.A. No. 7708 of 2016 has been filed by the respondent Bank

wherein the calculation made by the respondent Bank has been enclosed as Annexure-A. Annexure-B is the statement of Account. In reply thereto, the petitioner has stated that the calculation chart prepared by the Bank and the computerized statement of the bank account (Annexure-B) is not clear to the petitioner.

Mr. Ajay Kumar Sinha, Counsel for the Bank has rightly contended that the petitioner after consulting the person whom he want to consult may file a representation, if some discrepancy is found in the computation/calculation, either before the Bank or before the appropriate authority of the State which shall be examined/considered in accordance with law.

The State respondent has also taken the similar stand.

Considering the pleadings on record and after hearing the counsel for the respondent Bank as well as the State, the application is disposed of granting the petitioner liberty to file a representation if the calculation chart submitted by the bank does not satisfy his claim. If any such representation is filed before the appropriate/competent authority of the respondent Bank or the State, the same shall receive due consideration and disposal in accordance with law as quickly as possible.

(Kishore Kumar Mandal, J)

Pankaj/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	25.10.2016
Transmission Date	