

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10414 of 2014

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1. Medilal Das son of Late Mani Das R/o village- Bathnaha, P.O. and P.S. Kunauli, Distt.- Supaul

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna
2. The Executive Engineer, West-Tatbandh Pramandal, Nirmal, Distt.- Supaul
3. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Wasi Ahmad Khan, A.C. to S.C.-25

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 27-10-2016

Heard.

The writ application seeks a direction upon the State respondents to add name of his second wife in the Pension Payment Order (P.P.O.). After having served as Bandh Majdoor, the petitioner retired from service on 28.02.2003. Upon furnishing the details of the family, the respondents issued P.P.O. in the year 2003.

From the counter affidavit, it appears that subsequently the petitioner informed the department that he has married for the second time with Smt. Mina Devi in the year 2008 and thereafter requested the respondents to add the name of second wife. The respondent State, relying on circular of the government dated 06.09.1996 (part of Annexure-B series), has

submitted that the second wife during the life time of the first wife has no right to claim family pension. Indisputably, Mina Devi is stated to be the second wife of the pensioner/writ petitioner. The stand taken in the counter affidavit has not been controverted by the petitioner by filing rejoinder.

Upon consideration of the statements made in the writ petition, counter affidavit and upon hearing the Counsel for the State, this Court does not find any merit in the application. It is accordingly dismissed.

Pankaj/-

(Kishore Kumar Mandal, J)

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