IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8664 of 2014

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1. Most. Kailashi Devi, W/O Late Jag Mahra, resident of village- Beghauli, P.O.- Bhitiharwa, P.S.- Gaunaha, Distt. West Champaran

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Irrigation Department, Govt. of Bihar, Patna
2. The Executive Engineer, Triveni Canal Division, Raxaul District- East Champaran
3. The Sub-divisional Officer, Triveni Canal Subdivision Motihari, District- East Champaran
4. The Treasury Officer, Motihari, East Champaran
5. The District Provident Fund Officer, East Champaran, Motihari
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Vijay Kr Singh No. 1
For the Respondent/s : Mr. Nawal Kishore Singh, SC-2
For the Accountant General : Mr. Prabhat Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 05-02-2016 Heard the counsel for the petitioner , the State and the respondent- Accountant general.

The petitioner is the widow of a Government servant who served the State as the IVth Grade employee in Triveni Canal Division, Raxaul of Irrigation Department and retired in June 1997. He survives thereafter till 2005. However, salary as per the 5th pay revision report was not authorized /paid to him. The widow has now filed the aforesaid application for payment of the aforesaid dues of her late husband.

A counter affidavit has been filed on behalf of the respondent no.2. The counsel for the State draws attention of the Court to the statements made in para 17 thereof which reads as under:-

> "17.That it is humbly stated and submitted that in view of resolution of the finance department dated 08.02.1999, the pay of the employees of the State Govt., were revised w.e.f. 01.01.1996 and monetary benefits were to be paid from 01.04.1997 and it appeared from the records that the husband of the petitioner could not be given the benefit of 5th pay revision and accordingly, the pay of the deceased employee has been fixed vide office order contained in Letter no. -1004 dated 09.08.2014 and the same has been forwarded to the Treasury Officer, Motihari for its payment and further, the office of the Accountant general, Bihar has also been requested vide letter no. 1106 dated 30.08.2014 to issue necessary authority in respect of revised the pension & gratuity and the petitioner will get the same immediately after issuance of necessary authority by the office of the Accountant General, Bihar."

It has been submitted that the State has already taken steps towards redressal of the grievance of the petitioner inasmuch as vide letter dated 09.08.2014 the revised salary of the employee was fixed and forwarded to the Treasure Officer, Motihari for its payment. The office of the Accountant General has also been requested vide letter dated 30.08.2014 to issue necessary authority slip in respect of the revised pension/gratuity.

The counsel for the Accountant General, on instruction, states that the authority slip, as requested by the state and referred to in para 17, is likely to be issued within two weeks.

Considering the submissions of the parties, the writ application is disposed of by directing the respondent-Accountant General to take needful steps as required on the request of the State Government enabling the petitioner to draw the benefits within two weeks from today.

(Kishore Kumar Mandal, J)

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