

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20543 of 2014

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Pushpa Sinha Wife of Late Krishna Kishore Sinha Resident of 9 Patliputra Colony, P.S. Patliputra, Town & District Patna at present residing at Float No. 93, Tower - H, DLF Park Place, DLF City, Phase - 5, Sector GY, Gurgaon - 1220022.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Road Construction Department, Bisheshwaria Bhawan, Bailey Road, Patna.
2. The A.G. (Entt.) Bihar, Patna.
3. The Joint Secretary Road Construction Department Bisheshwaria Bhawan, Bailey Road, Patna.
4. The Secretary Building Construction Department, Bisheshwaraiya, Bhawan, Bailey Road, Patna.
5. The Treasury Officer, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh
For the Respondent/s : Mr. Sunil Kumar Mandal
For the A.G. : Mr. Madhuresh Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 20-08-2016 Heard both sides.

The husband of the petitioner served the State Government and retired as Executive Engineer on 31.01.2000. He was in receipt of pension through the treasury in the State of Jharkhand. The widow of the deceased employee has filed the writ application for a direction commanding the respondents to revise the pension/family pension on the basis of the recommendations of the 6th Pay Commission w.e.f. 01.04.2007.

A counter affidavit on behalf of the respondent no. 4 is

filed.

The stand of the State as well as the Accountant General is that the revision of the pension is required to be done by the concerned treasury in the light of the Resolution/Circular dated 23.09.2009, contained in Memo No. 01-7130 of the Finance Department, Government of Bihar.

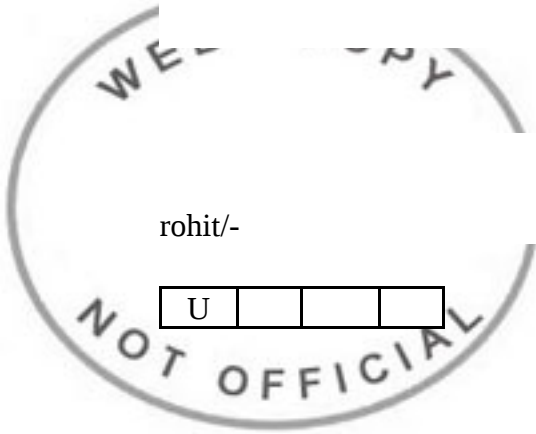
The counsel for the petitioner has produced a communication dated 27.01.2016 issued by the Accountant General, Bihar, Patna, wherefrom it appears that the concerned treasury from where the petitioner is drawing family pension has been advised to revise the pension/family pension in the light of the said Resolution of the Finance Department. Same is the stand taken in the counter affidavit by the State.

Looking to the prayer made in the application and considering the statements made in the counter affidavit, I am satisfied that the grievance of the petitioner has been redressed. It will be open to the petitioner to approach the concerned treasury and complete the formalities enabling her to draw the revised pension/family pension.

It is expected, upon completion of the formalities, the entire payment of revised pension/family pension including arrear thereof is/are authorized/paid in favour of the petitioner as

quickly as possible preferably within (03) weeks.

The writ application stands disposed of.



(Kishore Kumar Mandal, J)