

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17205 of 2015

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Besari Devi, wife of Late Pradeep Ram, Resident of Village- Mahmadpur Deopur
Tole- Bharaw, P.S- Pusa, Distt- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Public Health Engineering Department Bihar Patna.
3. The Accountant General, Bihar, Patna.
4. The Engineer-in-Chief, Public Health Engineering Department, Govt of Bihar Patna.
5. The Chief Engineer, Public Health Engineering Department, Govt of Bihar Patna.
6. The Superintending Engineer, Public Health Engineering Circle, Darbhanga.
7. The Collector, Samastipur.
8. The Executive Engineer, Public Health Division, Samastipur.
9. The Treasury officer, Samastipur.
10. The Chief Manager, State Bank of India, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate.

For the Respondent/s : Mr. H.S.Sundaram, AC to SC 8

For the Acct. Gen. : Mr. Uday Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 20-08-2016

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to implead
the Chief Manager, State Bank of India, Samastipur as respondent no.
10.

Let necessary correction be made by the learned counsel for the petitioner during the course of the day.

It appears that the grievance of the petitioner is with regard to non-payment of 40% pension of her late husband which was commuted in the year 1995, after the expiry of the statutory period of 15 years when 100% pension is payable.

According to the petitioner, 100% pension was required to be paid from 01.07.2010 which has not been paid and the husband of the petitioner died on 16.06.2014. Thus, it is submitted that the remaining 40% pension is payable to late husband of the petitioner from 01.07.2010 to 15.06.2014 and thereafter revision of family pension is required to be done w.e.f. 16.06.2014.

From the materials brought on record in the counter affidavit filed on behalf of the respondent no. 9, it appears that necessary orders have been passed and the matter has already been cleared by the Accountant General and now the payment has to be made through the Bank. It also transpires that under Memo No. 428 dated 21.06.2016, the Senior Treasury Officer, Samastipur has requested the Bank to make payment to the petitioner upon restoration of full pension.

In view of the aforesaid, the writ petition is disposed off with a direction to the newly added respondent no. 10 to ensure that

actual payment to the petitioner is credited in her account within four weeks from the date of receipt of a copy of this order by him

(Ahsanuddin Amanullah, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	22.08.2016
Transmission Date	