

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19578 of 2016

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1. Ram Dulari Devi Wife of late Dahin Ram Gram + P.O., Sonbhadra, Banshi
Suryapur District-Arwal

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Arwal
2. The District Magistrate, Arwal
3. The Chief Manager State Bank of India, Mian Branch, Patna
4. The Assistant General Manager, Centralized Pension Processing Cell,
Administrative Officer, 4th Floor, J.C. Road, patna-800001
5. The Branch Manager Pension Officer, Pension Cell, State Bank of India, Mian
Branch, Jahanabad
6. Principal Controller of Defence Accounts (Pension), Allahabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kunal Tiwary, Adv.
For the State : Mr. A. Kr. Rastogi, AAG-X
Ms Shilpi Keshri, A.C. to AAG-X
For the Union of India : Mr. S.D. Sanjay, Addl. S.G.
Dr. Punam Kumari Singh, CGC.
For the S.B.I. : Mr. Rakesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 22-05-2017

I. A. No. 2689 of 2017

By way of the present interlocutory application, the petitioner has made two prayers. The first prayer is to permit her to add the Union of India through Principal Controller of Defence Accounts (Pension), Allahabad as respondent no.6 and the second prayer is to permit her to rectify the mistake committed inadvertently in the writ application whereby the name of the petitioner has been stated as Ram Dulari Devi, wife of Late Dahin Ram whereas the



exact name of the petitioner is Dulari Devi, wife of Late Dev Dahin Ram.

2. Dr. Punam Kumari Singh, learned counsel appearing for the Union of India, Ms Shilpi Keshri, learned Assistant Counsel to Additional Advocate General No.10 appearing for the State and Mr. Rakesh Kumar Singh, learned counsel appearing for the State Bank of India do not oppose the aforesaid prayers of the petitioner.

3. In that view of the matter, the prayer is allowed. The petitioner is permitted to implead the Union of India through Principal Controller of Defence Accounts (Pension), Allahabad as respondent no.6 and rectify the name of the petitioner as given in the cause title of the writ application in the course of the day.

4. Interlocutory application stands allowed.

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5. In the present writ application the petitioner has prayed for issuance of a direction to the respondent authorities to issue duplicate Pension Payment Order (for short 'PPO') for the purpose of starting her family pension.

6. It is submitted by the learned counsel for the petitioner that the husband of the petitioner was in Army and after his retirement he was getting his pension in his pension account in the State Bank of India, Jehanabad Main Branch in Account No.



35231415572. He died on 23.05.2015. It is stated that the petitioner Dulari Devi, who happens to be 92 years of age lost pension paper of her husband while she was going to her son-in-laws place on 08.03.2016 for which a Sanaha was lodged by her on 10.03.2016 before the Officer-in-Charge of Kalpa Police Station at Jehanabad. Thereafter, she approached the Branch Manager of the State Bank of India, Main Branch, Jehanabad with a request to grant her family pension on which the Branch Manager directed her to deposit PPO and other relevant documents on which the petitioner informed the Branch Manager with regard to her difficulty in providing the PPO and showed the Sanaha lodged by her in Kalpa Police Station but the Branch Manager did not respond positively. Subsequently, the petitioner wrote a letter to the Assistant General Manager, Centralized Pension Processing Cell, Patna for certified copy of the PPO, pursuant to which the Assistant General Manager, Centralized Pension Processing Cell, Patna vide his letter dated 06.07.2016 informed the petitioner to deposit a copy of the pension book along with copy of the FIR to the Pension Cell at Centralized Pension Processing Cell, Patna. Thereafter, the petitioner deposited all the relevant documents along with her letter dated 19.07.2016 as directed by the Assistant General Manager, Centralized Pension Processing Cell. However, no action was taken on behalf of the respondent



authorities on the request of the petitioner. Hence, the petitioner has been compelled to file the instant writ application.

7. It is stated that after filing of the writ application the petitioner was in receipt of a letter dated 18.03.2017 issued under the signature of the respondent no.4, the Assistant General Manager, Centralized Pension Processing Cell, Patna informing her that PCDA (P), Allahabad has forwarded a copy of duplicate PPO from which it is apparent that the name of the family pensioner is not notified in the PPO. Accordingly, the petitioner has been advised to approach PCDA (P), Allahabad to issue PPO in her name so that family pension could be started at the earliest.

8. It is stated that pursuant to the advice of the respondent no.4, the petitioner represented before the PCDA (P), Allahabad on 24.03.2017 with a request to do the needful so that her family pension could be started but till date the petitioner has not received duplicate PPO and her family pension is not being paid. It is contended that the petitioner being a lady aged about 92 years is facing great hardship due to non-payment of family pension.

9. Having heard learned counsel for the parties and perused the record, the writ application is disposed of with a direction to the petitioner to file a fresh representation raising her grievance before the newly added respondent no.6, the Principal Controller of Defence



Accounts (Pension), Allahabad within four weeks from today along with a copy of the order and in case such a representation is filed, the Principal Controller of Defence Accounts (Pension), Allahabad is directed to pass appropriate orders in accordance with law within six weeks thereafter and do the needful.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.05.2017
Transmission Date	

