

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 8426 of 2016

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Meena Devi W/o Late Moti Ram, Resident of Village - Bilarpur, P.S. Sirdala,
District – Nawada.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nawada.
3. The District Panchayati Raj Officer, Nawada.
4. The Block Development Officer, Sirdala, District – Nawada.
5. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bachanjee Ojha, Mr. Rakesh Ranjan and Mr. Majeed Mahboob Khan, Advocate
For the State	:	Mr. Rishi Raj Sinha, S.C. 19 Mr. Akhilesh Kumar Sinha, A.C. to S.C. 19

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-12-2017

Heard learned counsel for the petitioner and the State.

2. From the pleadings on record, it appears that now all
admitted dues have been either paid or necessary orders passed.

3. The husband of the petitioner died in harness in the
year 2004, but only in the end of 2017, she has been paid her dues
including family pension for which there can be no justification. On
a query of the Court to learned counsel for the petitioner as to the
reason for such delay, the reply is that the G.P.F. account of the late
husband of the petitioner has not been opened and number given and,
thus, the same took some time. However, with regard to delay in



grant of family pension, no reasonable explanation was forthcoming.

4. It is an admitted position that initially only provisional pension was paid to the petitioner but in the year 2011 that was also stopped and final pension has now been granted only in late 2017. Thus, having regard to the aforesaid, the Court awards interest at the rate of 9% on the delayed payment, limited to family pension, for the period when her provisional pension was stopped till the time it was restored in 2017, following the judgment of the Hon'ble Supreme Court in the case of **D.D. Tewari v. Uttar Haryana Bijli Vitran Nigam Ltd.** reported as **(2014) 8 SCC 894**. The same shall be paid to her within two months from the date of production of a copy of this order before the respondent no. 4.

5. The writ petition stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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