

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17031 of 2016

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Anmola Devi, W/o Late Hare Krishna Jha, Resident of village + P.O. + P.S.
Kumarkhand, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna
2. Finance Commissioner, Pension Cell, Bihar, Patna
3. The Accountant General, Bihar, Patna
4. Collector, Madhepura
5. The Treasury Officer, Madhepura
6. Block Development officer, Murliganj
7. The Central Pension Processing Centre, Antaghat, J.C. Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mallika Mazumdar, Adv.

For the Respondent/s : Smt. Anuradha Singh- SC-21

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date: 20-07-2017

Heard learned Counsel appearing on behalf of the
petitioner and learned AC to SC-21 appearing on behalf of
respondent State.

The present writ application has been filed for payment
of family pension, due to the petitioner, since 06.02.2009. The
husband of the petitioner was a village worker under Murliganj
Block in the District of Madhepura. The husband of the petitioner
retired on 31.01.1998. The petitioner's husband's pension was not



fixed during his life time. The husband of the petitioner died on 05.02.2009. After death of the petitioner's husband, she submitted pension papers to the concerned authorities. Though, the pension payment order was issued by the Accountant General, Bihar, on 06.01.2014, but family pension has not been paid to the petitioner till date.

A counter affidavit, on behalf of Respondent No.5, has been filed, suggesting that the payment could not be made since the petitioner failed to appear in the Treasury Office for documentation, which is required under Rule 237 of the Bihar Treasury Code, 2011. A statement has been made in paragraph no. 11 that now the family pension has been credited in the bank account of the petitioner, which reads as under :-

“That it is submitted that after producing No Dues Certificate from Block Development Officer, Murliganj and that after conducting the verification of pensioner the payment of family pension has been initiated and subsequently the Monthly pension bill after passing it through the Treasury has already been sent in the account of the petitioner into the State Bank of India, Madhepura for making payment.”

Learned Counsel appearing on behalf of the petitioner submits that she has to verify from the bank with regard to credit of



family pension amount. However, it is further submitted that in view of the statement made in paragraph no.11 of the counter affidavit, this writ application has become infructuous.

Accordingly, it is disposed of as infructuous.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

