

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6133 of 2014

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Mostt. Noorjahan widow of Late Sirajuddin, resident of village- Barhabtara, P.O.-
Ara, P.S.- Ara Town, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Urban
Development and Housing, Government of Bihar, Patna
2. The Commissioner, Ara Municipal Corporation, Ara, District -Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subroteswar De, Advocate

For the Respondent/s : Mr. Manikant Mishra, G.P.-25

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 06-03-2017

The present writ application has been filed by the petitioner for a direction to the respondents to pay her family pension upon death of her husband, who was an employee of Ara Municipal Corporation and has served as Grade-IV employee till the date of his superannuation.

2. It is submitted by the learned counsel for the petitioner that the husband of the petitioner died on 30th August, 2007 and since then the petitioner has not been given family pension.

3. Per contra, learned counsel for the Ara Municipal Corporation submitted that after retirement late husband of the petitioner was paid all his retirement benefits as well as pension regularly till his death. He submitted that family pension scheme has



not been adopted and implemented by the Ara Municipal Corporation and none of the employees of the Ara Municipal Corporation has been given family pension till date.

4. Regard being had to the fact that benefit of family pension has not been adopted by the Ara Municipal Corporation and, as such, no mandamus can be issued to the respondents to pay family pension to the petitioner.

5. Accordingly, the writ application is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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