

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16421 of 2016

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1. Hridyeshwari Kunwar Wife of Late Ramfal Singh Resident of village -
Rakasiya, P.O. + P.S. Tekari, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, General Administration Department, New Secretariat, Patna
2. The Principal Secretary, Department of Finance, Govt. of Bihar, Main Secretariat, Patna
3. The Accountant General, Bihar, Beer Chand Patel Path, Patna
4. The State Bank of India, through its Branch Manager, Main Branch, Gaya
5. The Assistant General Manager, Centralized Pension Processing Centre, 4th Floor, Administrative office Building, State Bank of India, Judges Court Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Brijnandan

For the Respondent/s : Mr. Md. Nashrul Hoda Khan, SC-1
Mr. Kaushalesh Choudhary

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 05-07-2017

Heard the Counsel for the petitioner, Mr. Choudhary for the
Bank and A.C. to S.C.-I for the State.

Petitioner is widow of the employee who retired as Circle Inspector in the year 1974. Till the date of death, her husband drew pension and thereafter the petitioner drew the family pension. The present application is filed for a direction upon the respondents to enhance/increase his basic pension on her completing 80 years of age. In other words, she wants payment of special pension to her. In support thereof, the petitioner has relied on the government circular as contained in Annexure-4.



Counsel for the Bank states if the State Government considers the claim and issues a fresh sanctioned order and the Accountant General issues the family pension payment order, the Bank shall pay the legal admissible dues of the petitioner in accordance with law.

Counsel for the State submits that the claim of the petitioner, on a representation filed by her, would be considered by the Respondent no. 2 (the Principal Secretary, Department of Finance, Government of Bihar). The application be disposed of permitting the petitioner to make a representation for consideration/examination of her claim for enhanced pension.

Counsel for the petitioner has agreed to disposal of the case in terms of the stand taken by the Counsel for the State as well as the respondent Bank.

As agreed between the parties, the present application is disposed of permitting the petitioner to file a representation along with a copy of the order before the Principal Secretary (Respondent no. 2) whereafter the claim of the petitioner shall be examined within two months thereof and appropriate decision shall be taken on her claim. If the claim of the petitioner is found due and admissible, the said authority shall ensure that a fresh sanction order is passed for payment of legal dues of the petitioner.



In the aforesaid terms, the present writ application is disposed of.

(Kishore Kumar Mandal, J)

Pankaj/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	7.7.2017
Transmission Date	

