

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18859 of 2010

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Sumitra Devi, W/o Late Rameshwar Singh, resident of Mohalla- Sandalpur
Mahendru, P.S.- Sultanganj, Distt.- Patna.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary To Govt. Of Bihar, Welfare Department, Patna
2. The Director, Welfare Department, Patna
3. The Deputy Director, Welfare, Patna Division, Patna
4. The District Welfare Officer, Patna
5. The District Accounts Officer, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Adv.

For the Respondent/s : Mr. B.K.P. Sinha, GP-3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-11-2017

An interlocutory application, I.A. No. 2892 of 2015 has been filed whereby it has been brought to the notice of this Court that during pendency of this case, the original petitioner has died leaving behind wife, namely, Sumitra Devi.

Let the name of the original petitioner be expunged and the name of wife of the sole petitioner, namely, Sumitra Devi be incorporated in the writ application.

Accordingly, I.A. No. 2892 of 2015 stands allowed.

Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner has raised a grievance for wrong fixation of the pay-scale.

As per counter affidavit, that has been rectified which has been mentioned in paragraph nos. 6 & 7 which reads as follows:-



- “6. That it is submitted that the petitioner retired on 30.04.1996 in the scale of 1640-2900 from the post of Forman Mechanical in Anusuchit Jati Awasiya Audyogik Vidyalay, Mahendru, Patna. After his retirement, his pension was Fixed in the old scale @ 1273.00 p.m. w.e.f. 01.05.1996 by A.G. Bihar Patna vide PPO No. 364650 Letter No.- 1533 dated 19.10.2002.
7. That thereafter again Pension payment order no. 364650 dated 02.03.2011 was issued by the Accountant General, Bihar fixing the pension Rs. 3,849/- per month payable to him again in the revised pay scale i.e. pay scale of Rs. 5000-8000 itself with effect from 01.04.1997. As per the pay fixed by District Accounts Officer, Patna.”

In that view of the matter, the necessary correction should be made in his family pension. The correction should be made with effect from 1.4.1997 till the passing of the order i.e. 2.3.2011. The entire arrear of salary including the arrear, pension, or family pension, if not already paid, would be paid to the petitioner within a period of three months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.12.2017
Transmission Date	NA

