

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6359 of 2016

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Dharm Shila Vidhyarthi W/o Late Dr. Prem Kumar Vidhyarthi, resident of Mohalla
South Mandiri, P.S. Budha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Health and Family welfare Department having his office at Vikas Bhawan, Police Station, Sachivalaya, District- Patna.
2. The Additional Secretary, Health and Family Welfare Department having his Office at Vikas Bhawan, Police Station, Sachivalaya, District- Patna.
3. The Civil Surgeon-cum-Chief Medical Officer, Saran, Chapra.
4. The Treasury Officer, Saran, Chapra.
5. The Accountant General, Bihar Patna having his office at Beerchand Patel Path, P.S. Kotwali, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-11-2017

Heard learned counsel for the petitioner and State.

2. Despite copy of writ petition having been served on learned counsel for the Accountant General and the name of learned counsel also appearing in the cause list, nobody appears on his behalf when the case is taken up.

3. Learned counsel for the petitioner submitted that his



prayer is restricted to revision of pension in terms of the recommendations of the Pay Revision Commissions from time to time.

4. Learned counsel for the State submitted that a counter affidavit has been filed on behalf of the authorities and the stand is that since the authorities have already issued the sanction order, it is for the Accountant General's office to take action with regard to revision of pension in the subsequent replacement scale for which the petitioner has to move before the concerned authority.

5. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to the petitioner to file representation before the Accountant General, Bihar, Patna (respondent no. 5).

6. Learned counsel for the State does not oppose.

7. Accordingly, the writ petition stands disposed off with liberty to the petitioner to file an appropriate representation before the respondent no. 5, enclosing copy of the counter affidavit filed on behalf of the State in the present proceeding to indicate that, as per the stand of the State, it is the Accountant General, who has to look into the matter and take appropriate action.

8. If such an application is filed within four weeks from today, the respondent no. 5 shall look into it and pass a reasoned



order within the next one month. If it is found that the petitioner is entitled to any enhanced payment, the same shall be paid to her within two months thereafter.

(Ahsanuddin Amanullah, J.)

P. Kumar

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