

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1204 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 21519 of 2013**

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Bedami Devi, wife of Late Ram Bilash Verma, resident of village - Rattu Bigha,
Post Office - Banshi Bigha, Police Station - Ghoshi, District - Jehanabad

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, New Secretariat, Patna, Bihar
2. The Commissioner, Magadh Division, Gaya
3. The District Magistrate, Gaya
4. The Treasury Officer, Gaya
5. The District Magistrate, Jehanabad
6. The Block Development Officer, Ghoshi, Jehanabad
7. The Treasury Officer, Jehanabad
8. The Block Development Officer Nagar Prakhanda, Gaya
9. The Accountant General, (A & E), Bihar, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Kumar, Advocate

For the Respondent/s : Mr. Rajiv Roy, G.P. 1

Mr. Suresh Kumar, A.C. to G.P. 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-04-2017



Seeking exception to an order dated 22.07.2014 passed by the learned Writ Court in C.W.J.C. No. 21519 of 2013 rejecting the claim made by appellant for grant of Family Pension, this appeal has been filed under Clause 10 of the Letters Patent.

2. Appellant Smt. Bedami Devi claims to be wife of late Ram Bilash Verma who was working under the respondent's department. Ram Bilash Verma retired in the year 1986 and he was getting pension throughout his lifetime till he died in the year 2004. After his death in the year 2004, in the service record one Smt. Shanti Devi is shown to be his wife. However, when the appellant made a claim for grant of Family Pension contending that she is also a married wife of late Ram Bilash Verma, the departmental authorities rejected the claim and, therefore, the writ petition was filed. The learned Writ Court examined the matter and found that the employee retired in the year 1986, died in the year 2004 and the writ petition was filed in the year 2013 raising a claim for the first time in the year 2008. If the employee has died in the year 2004 and the appellant was a legally married wife, her name should have been in the Service Book or if she did not get the pension immediately after the death of her husband in the year 2004, she should have made a claim in the year 2004 itself. Her keeping quiet for a period of four years is not explained. The Writ Court taking note of all these factors has recorded



a finding to show that the claim is belated and the claim seems to have been made which is fishy in nature and taking note of all these factors refused to interfere into the matter. In doing so, we are of the considered view that the learned Writ Court has not committed any error and, therefore, we also see no reason to interfere into the matter.

3. The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
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