

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9895 of 2018

-
1. The Union of India through the Secretary, Ministry of Communication, Department of Post, New Delhi.
 2. The Director General, Department of Post, Dak Bhawan, Sansad Marg, New Delhi.
 3. The Chief Post Master General, Bihar Circle, G.P.O. Complex, Patna.
 4. The Director of Accounts (Postal), Patna.
 5. The Superintendent of Post Offices, Aurangabad Division, Aurangabad.

... .. Petitioner/s

Versus

Sanju Devi, Wife of Late Ghanshyam Bhagat, Resident of Mohalla-Sahpur,
Dharmshala Road, Aurangabad (Bihar)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. S.D. Sanjay (Addl. S.G.)
Mr. Anjani Kumar Sharan(ASG)

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 25-06-2018

Heard learned Additional Solicitor General assisted by
the Assistant Solicitor General for the Union of India.

Perused the impugned order 21.09.2017 passed by the
Central Administrative Tribunal, Patna Bench, Patna.

We are not convinced by the line of argument submitted
by the learned Additional Solicitor General that no case for a
direction for payment of family pension was made out in case of a
casual or a widow of temporary status employee.



The fact noted by the Tribunal is that even in the temporary status the employee in question worked for more than 25 years, he was not confirmed for permanent status for omission on the part of the authorities and for the same the widow cannot be made to suffer.

In similar circumstances in the case OA 664 of 2015 a similar direction was issued by the CAT Bench Patna, which was not interfered with by the Patna High Court in CWJC 11435 of 2017, therefore, if there is consistency of decision making by the Tribunal then this Court would not like to interfere with the order on whatever be the understanding of the learned Additional Solicitor General with regard to the policy and the requirement of extending benefits to such widows.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/Pragya

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26 .06.2018
Transmission Date	NA

