

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3499 of 2018

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Savitri Devi W/o Late Maheshwar Sah R/o Janta Flat No. 18/206, Kankarbagh
Colony, Patna, P.S.- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Labour Resources, (Labour Wing),
Patna, Bihar.
3. The Labour Commissioner, Patna, Bihar.
4. The Deputy Labour Commissioner, Patna, Bihar.
5. The Accountant General, Bihar, Patna Beer Chand Patel Marg, Patna.
6. The Branch Manager, State Bank of India, Bailey Road, Branch, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Jee Mishra, Advocate
For the State	:	Mr. Ajay Kumar Rastogi, A.A.G.10
For the Accountant General	:	Ms. Namrata Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 24-07-2018

Heard learned counsel for the petitioner; State and
Accountant General.

2. The petitioner has moved the Court for the following
reliefs:

“(i) Issuance of a writ/writs/order/orders,
direction /directions in the nature of mandamus
commanding the respondent authorities to pay the
family pension to the petitioner without having
obstacle and hindrance.



(ii) Issuance of a appropriate writ/writs/order/orders, direction/directions to the respondents to accept the photographs of the petitioner and utilize the same in appropriate place without making any further delay.

(iii) Issuance of any other relief/reliefs for which the petitioner is entitled to in the eyes of law.”

3. The issue is with regard to family pension to the petitioner being stopped from November, 2017, even though it was paid to her from January, 2016 to October, 2017, consequent upon the death of her husband on 29.12.2015. The ostensible reason for such stoppage is some objection by the Bank concerned with regard to there being no joint photograph of the petitioner and her husband.

4. Learned counsel for the State and Accountant General submitted that from their side, there is no objection raised and it is for the Bank to say as to why the family pension is not being credited into the account of the petitioner. However, the ground disclosed in the writ petition is that there is no joint photograph of the deceased with the petitioner. On such ground, learned counsel submitted that once in the P.P.O., the name of the petitioner is mentioned as the wife and the recipient of family pension, and such payment having been made after the death of the employee, for quite sometime, there is no genuine ground for creating any obstacle in such payment. However, it was further their contention that if any such photograph is required, both of them would send duly verified joint photograph



of the petitioner to the concerned Bank for the needful.

5. On such reasonable stand taken on behalf of the respondents, learned counsel for the petitioner submitted that she would submit her joint photograph to the respondent no. 4.

6. Having regard to the aforesaid, the writ petition is disposed off with a direction to the petitioner to submit a joint photograph to the respondent no. 4 within two weeks from today. Upon the same being done, the respondent no. 4, after proper attestation shall forward the same to the Accountant General within one week from the petitioner submitting the joint photograph. Upon the same being received by the Accountant General, he shall also verify/ attest the same and forward in to the Branch Manger, State Bank of India, Vishweshwaraiya Bhawan, Bailey Road, Patna within one week from the date of receipt of the photograph from the respondent no. 4. Upon receipt of the same, the Branch Manager shall ensure that family pension is restarted in favour of the petitioner and credited with up-to-date arrears within two weeks from the date of receipt of such verified joint photograph by him. For the purposes of convenience, let the Branch Manger, State Bank of India, Vishweshwaraiya Bhawan, Bailey Road, Patna be impleaded as respondent no. 6 in the present writ application. Let necessary correction be made in the cause title of the writ petition by learned



counsel for the petitioner during the course of the day. Learned
counsel for the petitioner shall also serve a copy of the order on the
newly added respondent no. 6.

(Ahsanuddin Amanullah, J.)

P. Kumar

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