

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1811 of 2018

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Vidya Devi Wife of Ram Chandra Prasad Gupta Resident of Village/Mohalla -
Bihta (Main Road), Police Station - Bihta, District - Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Home Affairs.
2. The Under Secretary, Ministry of Home Affairs Second Floor NDCC - II,
Building Jai Singh Road, New Delhi - 110001.
3. The State of Bihar through the Joint Secretary, Home (SPL) Department of
Bihar, Patna.
4. District Magistrate, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	: Mr. Sandip Singh, Advocate.
For the Respondent	: Mr. Awadhesh Kumar Pandey, (Union of India)
For the State	: Mr. Dr. Anand Kumar, AC to AAG-3.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 30-11-2018

Heard learned counsel for the petitioner and the
State.

2. The petitioner, who is the wife of Late Ram
Chandra Prasad Gupta, a recipient of Swatantrata Senani
Samman Pension has prayed for a direction to the
respondent authorities for opening the account in her name
so that the pension could be paid to her directly.

3. The respondent authorities have not been able
to do so up till now.

4. From the counter affidavit, it appears that the
husband of the petitioner died on 22.10.2017. Prior to
this, he was asked to provide a different account number in



a bank other than State Bank of India for the pension to be remitted in the aforesaid amount. Twice, the late husband of the petitioner gave different account numbers, but for some reason or the other, the pension amount was not remitted in the aforesaid account. In the meantime, the husband of the petitioner died requiring the petitioner to make a request to the authorities for substituting her name by opening an account and remitting the pension amount in the aforesaid account. When the same was not being done, the widow of the pension holder approached this Court.

5. It appears that despite the promptness shown by respondents no. 1 and 2 in seeking relevant information about the husband of the petitioner from the concerned Senior Accounts Officer from the office of Accountant General (A&E) Ranchi, no information was forthcoming. However, it was found out that in accordance with the rules/guidelines provided for disbursement of Central Samman Pension under the Swatantrata Senani Samman Pension 1980, for the purposes of getting pension, a spouse or daughter is required to furnish certain information in terms of Clauses 5.1 to 5.2.3 of the said guidelines under the scheme.

6. It has been submitted that till date such information has not been provided by the petitioner.



7. Mr. Deenbandhu Singh, learned advocate for the petitioner submits that all the information have been provided and for no apparent reason, she is being harassed knowing fully well that she was in her old age.

8. The petitioner, therefore, is directed to furnish all the relevant information which is demanded/required of her in terms of the guidelines for disbursement of pension before the competent authority within a period of three weeks from today. The respondent authorities shall not raise any objection with respect to the late submission of such information.

9. The reason for saying so is that up till now, the matter could not be processed because the Accountant General Office, Ranchi was not forthcoming with relevant information. Once such a information is received, necessary orders shall be passed meaning thereby that an account shall be opened in any bank subject to the approval of the authority concerned and the pension amount shall be deposited continuously in the aforesaid account.

10. The order in that regard shall be passed within a period of eight weeks of furnishing of the relevant information by the petitioner.



11. Needless to state that the pension which has not been given to the petitioner shall also be paid after opening the account.

12. With the aforesaid direction/observation, the writ petition is disposed off.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.12.2018
Transmission Date	

