

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19342 of 2018

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Sarojini Devi, Wife of Late Arjun Prasad, Resident of Village & P.S.-
Govindpur, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The District Magistrate, Nawada.
4. The District Education Officer, Nawada.
5. The District Program Officer Establishment Nawada.
6. The Block Education Officer Govindpur Nawada.
7. The Principal Project Girl Inter School Govindpur Nawada.
8. Accountant General, Bihar, Patna.
9. The Treasury Officer, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Tiwari, Advocate
For the State	:	Mr. Vinay Kumar Mishra, AC to AAG-15
For the Acctt. General	:	Mr. Uday Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 05-10-2018

In the order dated 13.07.2017 passed in CWJC No.
20406 of 2014 it was observed by this Court that ‘whatever is
required to be done is now required to be done by the petitioner by
approaching the Treasury Officer, Nawada’.

2. Learned counsel for the petitioner submits that the
petitioner had approached the Treasury Officer but nothing was
done at the level of the Treasury Officer and under the compelling
circumstances the petitioner filed MJC No. 603 of 2018 which was
disposed of by order dated 24.08.2018. The Court declined to
entertain the contempt application against the Treasury Officer



who was not party in CWJC No. 20406 of 2014. Thereafter the petitioner has filed the present writ petition for a direction to the concerned authorities for payment of family pension and death cum post retiral benefits.

3. The husband of the petitioner died in harness on 14.05.2010. We are in 2018. The Welfare State is obliged to discharge its social obligation in the matter of grant of family pension and other death cum post retiral dues to the widow of the deceased employee. Eight years have passed yet the petitioner has not been paid the death cum post retiral benefits and family pension. Inaction on the part of the respondent-authorities indicates that they are not sensible towards the social security measures adopted by the Welfare State.

4. Having regard to the peculiar facts of this case including the fact that the petitioner had earlier approached this Court in CWJC No. 20406 of 2014 and thereafter filed MJC No. 603 of 2018, the reluctance on the part of the respondent-authorities cannot be condoned. The writ petition is disposed of with a direction to the Director, Secondary Education, Government of Bihar, Patna and the District Magistrate, Nawada to fix accountability on the erring officers who are responsible for the delay in making payment of death cum post retiral dues including



family pension to the petitioner. In the event of delay in making payment of the admitted dues to the petitioner beyond 60 days from the date of receipt/production of a copy of this order, the entire arrears would carry interest at the rate of 9% and the concerned officer including the Treasury Officer shall be personally obliged to pay the interest component from their own pockets.

5. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.10.2018
Transmission Date	

