

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3619 of 2019

Maya Devi wife of Yamuna Prasad Singh resident of Village- Vidyapur Ward
No.1,P.S- Ariyari District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Primary Education Bihar Patna
2. The District Magistrate, Sheikhpura
3. The District Programme Officer, Primary Education Sheikhpura
4. The General Manager, Centralised Pension Processing Centre, State Bank of India, 4th Floor, Administrative Office, Judges Court Road, Patna-04476
5. The Assistant General Manager, Centralised Pension Processing Centre, State Bank of India, 4th Floor, Administrative Office, Judges Court Road, Patna-04476
6. The Branch Manager, State Bank Of India, Shiekhpora
7. The Accountant General (A and E) Accountant General Office, Bihar Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bharat Lal, Advocate Mr. Rabindra Kumar, Advocate Mr. Akash Raj, Advocate
For the State	:	Mr. Madhaw Prasad Yadav, GP-23 Mr. Sanjay Kumar, AC to GP-23
For the Bank	:	Mr. Satyendra Kumar, Advocate
For the AG	:	Mr. Chaitanya Swaroop, Advocate

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 16-04-2019 Heard learned counsel for the petitioner, learned counsel for the State, learned counsel for the Accountant General, Bihar, Patna and learned counsel appearing on behalf of the State Bank of India (hereinafter referred to as the 'Bank').

2. In pursuance to the order dated 08.04.2019, the Branch Manager, State Bank of India, Sheikhpura Branch, Respondent No. 6 is present in person.



3. A counter affidavit has been filed on behalf of the Bank stating therein that due to wrong data entry of the date of birth the petitioner has been paid excess of Rs. 1,88,657/- and as such a deduction has been made from the account of the petitioner for the said amount on two dates and a lump sum of Rs. 1,72,191/- has been deducted from the account of the petitioner as per master circular of the Reserve Bank of India wherein any excess payment has to be reconciled from the account of the petitioner. It has also been stated that the petitioner had filed an undertaking indemnifying the Bank against any loss, charges, damage and expenses suffered by the Bank on crediting the pension. It is further submitted that the lumpsum amount has been deducted due to wrong entry in the date of birth of the petitioner and still as per the statement of account as contained in Annexure-2 the petitioner has sufficient amount in her bank account.

4. Learned counsel for the petitioner, however, submits that the said amount has been deducted in one lump sum, although, the mistake was on the part of the Bank in the data entry of the date of birth and the PPO mentioned the correct date of birth of the petitioner.

5. However, since the amount has been deducted,



which the petitioner was not entitled to receive and on 01.03.2019 also there was sufficient balance in the account, this writ application lacks merit, and, is accordingly dismissed. However, the Branch Manager of the Bank, Respondent No. 6 would be more cautious in future in the data entry of the pensioners as the deduction as one lump sum causes undue hardship to the pensioners who otherwise survive on the pension only.

Personal appearance of the Respondent No. 6, Bank Manager, Sheikhpura is dispensed with.

(Nilu Agrawal, J)

Rajesh/-

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