

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3487 of 2018

Devta Devi Wife of Late Sachchidanand Singh, Resident of Village-Teghra,
P.S.-Bakhtiyarpur District-Saharsa..... Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Old Secretariate, Patna.
3. Special Work Officer Cum In-Charge J.P. Koshank, Department of Home, Government of Bihar, Old Secre
4. Deputy Secretary Cum Lok Suchna Padadhikari, Department of Home, Special Branch, Bihar, Patna.
5. J.P. Senani Samman Yojna, Home Special Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ratan Kumar
For the Respondent/s : Mr.Md.N.H.Khan -Sc1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 19-04-2019 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

The grievance of the petitioner in the instant case is that the respondents have rejected the claim of the petitioner for grant of J.P. Samman Yojna Pension scheme.

Counsel for the petitioner has drawn the attention of this Court to Annexure-1 dated 15.07.2015. From order dated 06.12.2017, it appears that J.P. Samman Yojna Pension scheme is available w.e.f. 1.6.2009. Learned counsel for the petitioner submits that though the scheme is effected from 01.06.2009 but the benefit is available to a person who has suffered imprisonment or underground during J.P. movement. Admittedly the petitioner husband has suffered imprisonment for a period of more than six months during J.P. movement and as such



husband of the petitioner was qualified under the scheme. Learned counsel submits that considering the objective of the scheme, the respondents were required to consider the case of the petitioner for grant of benefit as husband of the petitioner had participated in the J.P. movement and suffered imprisonment.

Considering the aforesaid, the order contained in Annexure-D is hereby quashed, the matter is remitted back to the respondent to consider the claim of the petitioner sympathetically as the benefit is available to the participant of the J.P. movement which stands satisfied in the case of this petitioner also. Simply he died before the date of commencement of the scheme may not be a ground to deny the benefit to the petitioner as beneficent scheme like grant of J.P. Samman Yojna Pension scheme should be construed liberally. Respondents have to pass fresh order within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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