

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20071 of 2016

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Ratneshwari Devi Wife of Radhey Shyam Singh, Resident of Village Post-Koriya Patti, Police Station- Jadima, District- Supaul. At present residing at Mohalla- B/30 Budha Colony, Patna, Police Station- Budha Colony, Post Office- Kidwaipuri, Patna-1, Retired while working as Assistant Teacher, Mithapur Middle School, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Patna.
5. The District Education Officer, Patna.
6. The District Programme officer Establishment Patna.
7. The District Treasury officer, Patna.
8. The Block Education Officer, Sadar Patna District- Patna.
9. The Headmaster-cum-Drawing and Disbursing Officer, Govt. Middle School, Mithapur, Block- Patna Sada
10. The Regional Manager, State Bank of India, Patna.
11. The Branch Manager, State Bank of India, Branch Krishna Nagar, District- Patna.
12. The Accountant General, Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar Mishra
For the Respondent/s	:	Mr. Chitranjan Singh
	:	Mr. Rajiv Ranjan
For A.G.	:	Mr. Bindhyachal Rai
For S.B.I.	:	Mr. Rakesh Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 04-09-2019 The petitioner has prayed for the following reliefs :-

“ i) For issuance of a writ in the nature of mandamus for commanding and directing the respondent authorities concerned to revise the pension of the petitioner in



terms of the revised pay scale of 2006 as determined by the 6th pay revision commission, as she is retired Assistant Teacher and is entitled for revision of her pension on the basis of 6th pay revision commission with effect from 01.01.2006.

ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to pay the arrears of pension along with statutory interest with effect from 01.01.2006 in terms of the 6th pay revision commission, for which the petitioner is entitled in terms of the Finance Department, Government of Bihar resolution no. 820 dated 23.09.2009 and also in terms of Gazette publication as contained in memo no. 384 dated 08.08.2012, whereby it has been made clear that the amount of revised pension of elementary pay and in total Grade pay, the same will not be less than 50% who has also retired prior to 01.01.2006.

iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the claim of the petitioner and to dispose of the representation of the petitioner by reasoned and speaking order, by mitigating her genuine claim of revision of pension with effect from 01.01.2006.”

The learned counsel for the petitioner submits that the petitioner would be approaching the respondent no. 3 for redressal of the aforesaid grievances by filing appropriate representation within a period of four weeks from today and the same be directed to be disposed off expeditiously.



Having regard to the short submission made by the learned counsel for the petitioner, I deem it fit and proper to grant liberty to the petitioner to approach the respondent no. 3 for redressal of the aforesaid grievances by filing appropriate representation within four weeks from today, whereupon the same shall be disposed off by the respondent no. 3 within eight weeks thereafter considering the resolution of the Finance Department dated 23.09.2009, as modified by resolution of the Finance Department dated 17.07.2018.

The present writ petition stands disposed off with the aforesaid directions. The outstanding dues, if any, found payable to the petitioner upon final decision taken by the State authorities, as aforesaid, shall be paid within a period of eight weeks from today.

(Mohit Kumar Shah, J)

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