

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2176 of 2018

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Somittro Dev Kumar Son of late Krishnadeo Kumar Toli, 56 Set Doranda,
Ranchi-834002 (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department ,
Government of Bihar, Patna.
2. The Accountant General (A&E), Bihar Birchand Patel Path 'R' Block, Patna-
800001
3. The Accountant General (A&E), Jharkhand, Hinoo (Daranda), Ranchi-
834002. The State of Jharkhand through null null
4. The Treasury Officer,Ranchi (Jharkhand).
5. The Assistant General Manager, State Bank of India, Centralised Pension
Processing Centre (C.P.P.C), Administrative Office Building, 4th Floor, J.C.
Road, Patna 800001.
6. The Chief Manager, State Bank of India, Doranda Branch, Ranchi-834002
(Jharkhand)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Anurag Pandey, Adv.
For the AG Bihar and Jharkhand		Mr. Ram Kinkar Choubey, Adv.
For the State of Bihar		Mr. Anil Kumar Verma, AC to AAG.
For the SBI		Mr. Rakesh Kumar Singh, Adv.
For the State of Jharkhand		Mr. Dhruva Mukharjee, Sr. Adv.
		Mr. Ganesh Singh, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-01-2019 Heard learned counsel for the petitioner, learned

counsel for the State, learned counsel appearing on behalf of the

Accountant General, Bihar, Patna, learned counsel for the State

Bank of India and learned counsel appearing on behalf of the

State of Jharkhand.

Petitioner in the present writ application seeks family

pension of the late employee Krishnadeo Kumar who

superannuated as Health Worker in the Health Department,



Government of Bihar at Gaya and died on 13.09.2006. A P.P.O. was prepared by the office of the Accountant General, Bihar, Patna which is Annexure-1 wherein it has been stated that the petitioner who is the only surviving heir is entitled to family pension till the age of attaining 21 years.

Learned counsel for the petitioner submits that a letter has been issued by the Senior Accounts Officer of the Office of the Accountant General, Jharkhand dated 06.01.2017 which is Annexure-8 series wherein son of the erstwhile employee is entitled to family pension till the age of 25 years if unmarried and unemployed. Learned counsel for the petitioner further submits that he is entitled to family pension till the age of 25 years and he has already filed a representation before the Treasury Officer, Ranchi dated 13.01.2017 which is Annexure-9 to the writ application.

Learned counsel for the State and Accountant General Bihar, Patna as well as counsel for the State Bank of India submits that the petitioner is a resident of Ranchi, Jharkhand and his payment of family pension is being made in the account of the petitioner which is at State Bank of India, Doranda Branch, Ranchi and a letter has also been written by the petitioner to the Treasury Officer, Ranchi, hence this writ



application is not maintainable due to want of territorial jurisdiction.

However, since the employee superannuated on the post of Health Worker at Gaya which is in the State of Bihar and payment order was also sanctioned by the Accountant General Office, Bihar Patna, this writ application is maintainable.

However, this writ application is disposed of with a liberty to the petitioner to file a fresh representation before the Treasury Officer, Ranchi for his entitlement of family pension which will be disposed of within a period of four months from the date of receipt of such representation. Any amount due to the petitioner would be paid within one month thereafter.

(Nilu Agrawal, J)

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