

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6238 of 2019**

Ku. Priyanka Pal D/o Late Shri Sitaram Pal Aged About 28 Years R/o
 Village Rajoti, Post Office Petla, Tehsil Sitapur, District Sarguja,
 Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department,
 Mahanadi Bhawan Mantralay, Atal Nagar, New Raipur, Chhattisgarh.,
 District : Raipur, Chhattisgarh
2. Divisional Forest Officer Bhumi Sanrakshan Van Mandal, Raigarh, District
 Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
3. Assistant General Manager State Bank Of India, Centralized Pension
 Processing Cell, Behind Working Women Hostel Govindpura, Bhopal,
 Madhya Pradesh., District : Bhopal, Madhya Pradesh

---- Respondents

For Petitioner	:	Mr. Gary Mukhopadhyay, Advocate
For State	:	Ms. Ishwari Ghritlahre, PL
For Respondent No. 3	:	Mr. P. R. Patankar, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****22/08/2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 29.04.2019. Vide the said order respondent Bank has issued a notice to the petitioner to deposit the excess amount paid to the petitioner to the tune of Rs.3,88,475/-.

2. On the previous date of hearing, this Court had directed the counsel of State Bank of India to seek instructions. Today when the matter is taken up, counsel for the Bank referring to the provisions of the Chhattisgarh Family Pension Scheme submitted that since petitioner was being paid family pension since 1996 onwards, she was entitled for the same only till she attains the age of 25 years and which she attained on 05.08.2014. However, inadvertently the respondent Bank had continued to pay family pension till 31.03.2019. According to the counsel for the Bank the said fact was not communicated to the respondent Bank by the State Government so far as the non eligibility of the petitioner of pension after 05.08.2014 onwards is concerned.
3. This contention by the counsel for the Bank that petitioner was entitled for family pension only till she attains the age of 25 years is not disputed by the counsel for the petitioner. Thus, apparently it appears that petitioner has got family pension beyond the age of 25 by a further period of 3 ½ years which respondents have now ordered the petitioner to pay back.
4. Given the fact that petitioner has got certain family pension which she was not otherwise entitled for and which the respondent Bank has ordered for petitioner to repay back, this Court does not find any illegality or the same to be contrary to the rules governing the pension scheme calling for an interference at this juncture.
5. Accordingly, the writ petition being devoid of merits stands rejected.

Sd/-
(P. Sam Koshy)
Judge