

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11897 of 2017

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Priyambada Devi Wife of late Hari Narayan Sah Resident of Village- Sarasi,
Post- Sarasi, District- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Finance Department
2. The District Magistrate, Purnea.
3. The District Magistrate, Kishanganj.
4. The District Magistrate, Araria.
5. The District Provident Fund Officer, Purnea.
6. The District Provident Fund Officer, Kishanganj.
7. The District Treasury Officer, Purnea..
8. The District Treasury Officer, Kishanganj.
9. The Sub- Divisional Agriculture Officer, Purnea.
10. The Sub- Divisional Agriculture Officer, Kishanganj.
11. The Block Development Officer, Kachadhaman Block, District- Kishanganj.
12. The Block Development Officer, Bhargama Block, District- Araria.
13. The Block Development Officer, Kasba Block, District- Purnea.
14. The Block Development Officer, Banmankhi Block, District Purnea.
15. The Block Development Officer, Purnea Prunar Purnea East Block, District- Purnea.
16. The Block Development Officer, Tedhagach Block, District- Kishanganj.
17. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Siddharth Shankar Pandey
For the Respondent/s : Mr.Chittranjan Sinha Paag2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 12-08-2020

1. The present writ petition has been filed for directing the respondents to make payment of the balance amount of death-cum-retiral benefits qua the deceased husband of the petitioner namely Hari Narayan Sah. It is further prayed



to direct the respondents to fix the pension in the appropriate scale, make payment of the G.P.F. amount, Group Insurance amount and the arrears of salary apart from the leave encashment amount.

2. The learned counsel for the petitioner has submitted that the deceased husband of the petitioner was initially appointed as Jan Sevak in Kachadhamna Block, District- Kishanganj on 14.11.1958, whereafter his services was confirmed on 31.07.1972 and finally, the deceased husband of the petitioner retired in the year 1989 whereupon, he died on 29.10.1993. It is submitted that despite lapse of several years, the full death-cum-retiral dues of the petitioner has not been paid.

3. *Per contra*, the learned counsel for the State, by referring to the counter affidavit filed on behalf of the respondents no. 3 and 16 has submitted that the leave encashment amount totalling to a sum of Rs. 11,403/- and the group insurance amount amounting to a sum of Rs. 6423.00 and arrears of salary on account of time bound promotion amounting to Rs. 8171.90/- has already been paid long back. It is further submitted that the G.P.F. amount of the husband of the petitioner to the tune of Rs. 4,77,697/- has also been deposited in the bank



account of the writ petitioner and a letter dated 05.08.2017 has been sent to the petitioner for the purposes of revision of pension.

4. The learned counsel for the respondent-State has also referred to the counter affidavit filed by the respondents no. 4 and 12, wherein it has been stated that the family pension of the petitioner has already been fixed as per the prevailing rules.

5. The learned counsel for the respondent- State has also referred to the counter affidavit filed on behalf of respondents no. 5 and 6 and it has been submitted that the G.P.F. amount to the tune of Rs. 4,77,697/- has already been paid to the petitioner herein.

6. Having considered the facts and circumstances of the case as also the materials on record, it appears that the death-cum-retiral benefits have already stood paid, as far as the petitioner and her deceased husband are concerned, nonetheless it is directed that in case, the family pension of the petitioner has not been revised as also any balance amount of the death-cum-retiral dues have not been paid to the petitioner herein, the same shall be paid to the petitioner within a period of six weeks from today, failing which the District Magistrate, Kishanganj and the Block Development Officer, Tedagach Block, District-



Kishanganj shall be liable to deposit a sum of Rs. 50,000/- each,
from their pocket, with the Chief Minister’s Relief Fund, Bihar,
Patna.

(Mohit Kumar Shah, J)

rinkee/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.08.2020
Transmission Date	NA

