

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2479 of 2019

=====

Chandra Kala Devi, Female, aged about 70 years, Wife of Late Ram Shankar Prasad Singh, Resident of Village- Guramia, PS- Lelgan, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Vikas Bhawan, Baily Road, Patna.
2. Director Primary and Secondary Education, Education Department, Vikas Bhawan, Baily Road, Patna.
3. Regional Deputy Director of Education, Education Department, Government of Bihar, Vaishali.
4. District Education Officer, Vaishali (Hajipur).
5. Accountant General Bihar, Beer Chand Patel Path, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Kishore Kumar Thakur, Advocate
For the State	:	Mr. Prabhakar Jha, GP 27
For the Accountant General	:	Mr. S M Ehtesham, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 26-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Kishore Kumar Thakur, learned counsel for the petitioner; Mr. Prabhakar Jha, learned GP 27 for the State and Mr. S M. Ehtesham, learned counsel for the Accountant General.



3. The petitioner has moved the Court for the following reliefs:

“(i) For a direction to the respondents to make payment of 50 percent of the Family Pension to the petitioner in terms with the Family Pension Scheme as laid down clause-7 of the family Pension Scheme 1964, contained in Appendix-5 of the Bihar Pension Rules-1950.

(ii) For a further direction to the respondents to make payment of arrears of such 50 percent of Family Pension to the petitioner, with effect from 26.03.2018 i.e., the date when the husband of the petitioner Late Ram Shankar Prasad Singh, a retired Assistant Teacher died.”

4. At the outset, learned counsel for the petitioner submitted that in view of the relief prayed for in the writ application, he may be permitted to file a representation before the Competent Authority and the writ petition be disposed off with a direction to consider the same within a fixed time period.

5. Learned counsel for the respondents do not object.

6. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file a detailed representation with regard to the claim made in the present writ application before the respondent no. 4. If the same is done within six weeks from today, the respondent no. 4 shall get the matter enquired and thereafter pass a detailed and reasons order within two months from the date of filing of such representation. If it is found that anything is payable to the petitioner, in terms of the order to be passed on her



representation, the same shall also be paid to her within two months from the date of passing of the order.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

AFR/NAFR	
U	
T	

