

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15354 of 2018

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Rina Sinha, wife of Late Raj Kumar, Resident of Village- Kauriya, P.O.-
Jaitpur Kurua, Okari, P.S.- Ghosi, District- Jehanabad.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Superintendent of Police, Kaimur at Bhabhua, District-Kaimur at Bhabhua.
3. The Treasury Officer, Jehanabad, District- Jehanabad.
4. The Accountant General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Md. Shakir Ahmad
For the State	:	Mr. Raghawanand, G.A. 11 and Mr.Md. N.H. Khan, S.C. 1.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the parties.

The following reliefs have been sought for on behalf
of the petitioner in the present writ application.

“For issuance of an appropriate writ in the
nature of MANDAMUS, commanding and
directing the respondent authorities to
revise the family pension of the petitioner
with effect from 01.01.2006 in view of the
Finance Department Resolution No.
137/2008 dated 23.09.2009 as also to
revise the family pension with effect from
01.01.2016 in view of the Finance



Department Resolution in the year 2017 and pay the differences of arrears of family pension with Statutory as well as penal interest.”

A counter affidavit has been filed on behalf of respondent no. 3.

The following statements have been made in paragraph nos. 9, 10, 11 and 12 of the said counter affidavit.

“9. That it is stated and submitted that the petitioner is getting revised family pension and no any revision is pending at the level of answering respondent.

10. That the petitioner is getting her pension through her Bank Account No. 11050239583 SBI, Jehanabad and according to the up-to-date statement of Bank Account, she is getting revised pension according to resolution of Finance Department.

11. That according to the monthly pension payment statement provided by the Bank, it is transpired that the petitioner has got her family pension @ Rs. 3,500.00 (minimum) per month after 01.01.2006 (payable from 01.04.2007 as per Finance Department Resolution No. 137/08 dated 23.09.2009 and Rs. 9,000.00 per month (minimum) after 01.01.2016 (payable from 01.04.2017 as per Finance Department Resolution No. 3590 dated 24.05.2017 with admissible D.A. and other allowances.

12. That the statements made in paragraph nos. 17 to 19 of writ petition, it is submitted that the petitioner is getting her family pension through Bank and as per revision of pension by the Government, the pension is revised by the Bank without giving any representation and the



petitioner's family pension has also been revised as per resolution of Finance Department no any revision is pending."

From perusal of the statements made in the counter affidavit, it is apparent that the grievance/s of the petitioner has/have already been redressed by the respondents. No further order is required to be passed in the present writ application. The petitioner is granted liberty to make/file a fresh representation before an appropriate authority within a period of eight weeks from today for remaining grievance/s, if any. If any such representation is made/filed before the concerned authority, the concerned authority shall pass an appropriate order in accordance with law, within a period of three months, from the date of filing/making of such representation.

The present writ application stands disposed of with the aforesaid observation and direction.

(Sudhir Singh, J)

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