

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21013 of 2018

=====

Jai Prakash Son of late Baikunth Nath Prasad, R/o R.P.S. More Raghunath Path, C/o Vandana Shringar in front of Hyundai Service Centre P.S. Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Secretary, Department of Health, Government of Bihar, Patna
4. The Additional Secretary, Department of Health, Government of Bihar, Patna
5. The Joint Secretary, Department of Health, Government of Bihar, Patna
6. The Under Secretary, Department of Health, Government of Bihar, Patna
7. The State Commissioner, Handicap, Social Welfare Department, Government of Bihar, Patna.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Patanjali Rishi, Advocate
For the State	:	Mr.Rajeshwar Singh, GA-10
For the Accountant General	:	Mr. Ram Kinker Choubey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 08-10-2020

Heard learned counsel for the petitioner and learned counsel for the respondents through video conference.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition--

“(i) For issuance of writ in the nature of mandamus or a writ of mandamus or any other writ of the like nature thereby directing the respondent authorities to include the name of



the second daughter of the petitioner who is physically handicapped in the list of beneficiaries of the family pension of the petitioner in view of directions of the Memo No. P.P.- 11- 1025/75/1884 F. Dated 19/03/1975 and pay all the death benefits of the petitioner to his second daughter namely Vandana Kumari after the death of the petitioner.

(ii) For such other reliefs for which the petitioner may be found entitled.”

3. At the very outset, learned counsel for the petitioner invites reference to the supplementary counter affidavit filed on behalf of respondent nos. 2 to 6, in paragraph 5 whereof it has been stated that by memo no. 809 (5) dated 09.09.2020 issued by the Under Secretary to the Government, the Accountant General, Bihar was intimated to include the name of Vandana Kumari, second daughter of the petitioner, in the list of beneficiaries of family pension. It is therefore submitted that it will suffice if the Accountant General is directed to take the matter forward.

4. Learned counsel for the State as well as for the Accountant General are present and have been heard.

5. Having regard to the stand of the petitioner, the writ petition is disposed of with the observation that the Accountant



General, Bihar, Patna (respondent no.8) shall now proceed in
accordance with law.

(Vikash Jain, J)

HR/Ibrar

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.10.2020
Transmission Date	N/A

