

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5154 of 2019

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Ritu Kumari Wife of Late Akhilesh Kumar Singh Resident of Village- Dihuli,
Police Station- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The District Magistrate, Patna
3. The District Education Officer, Patna
4. The District Programme Officer (Establishment), Patna
5. The Accountant General (A & E), Patna, Bihar
6. The Treasury Officer, Patna
7. Chandra Prakash, S/o late Akhilesh Kumar Singh, R/o Vill- Dihuli, P.S.
Dulhin Bazar, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Respondent/s : Mr. Vinod Kumar, A.C. to S.C.28

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 15-06-2020 Heard learned counsel for the petitioner, learned
counsel for the State and the learned counsel for the Accountant
General through Video Conferencing.

The petitioner in this writ petition seeks quashing of
letter as contained in Memo No.Pen-5/264(A) dated 14.02.2018,
Memo No.Pen-5/1515 dated 28.05.2018 and Memo No.5/593
dated 10.08.2018 issued by the Senior Accounts Officer, Bihar,
Patna whereby a request is made to the District Programme
Officer, Establishment, Patna to send approval order for
necessary action to his office with respect to payment of half
and half family pension in favour of the minor children to the
first and second wife of the deceased.

The fundamental facts essential for disposal of this
writ petition are that the petitioner is the second wife of



Akhilesh Kumar Singh. Akhilesh Kumar Singh solemnised second marriage on 20.05.2003 with the petitioner after death of his first wife(Urmila Devi). The husband of the petitioner got four children from his first wife. After death of Akhilesh Kumar Singh, the petitioner filed petition for grant of family pension to her but the Senior Accounts Officer in view of the circulars of State of Bihar directed the District Programme Office to give sanction order to the minor children of first and the second wife in half and half proportion.

The counter-affidavit has been filed on behalf of the State as well as Accountant General. From perusal of the supplementary counter-affidavit filed on behalf of respondent No.5, it appears that now the dispute has been resolved and family pension in the name of Smt. Ritu Kumari(the petitioner) has already been issued. Thus, it appears that grievance of the petitioner has already been redressed and the writ petition has become infructuous.

Accordingly, the writ petition is dismissed as has become infructuous.

(Prabhat Kumar Jha, J)

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