

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4038 of 2020

-
1. CHINTA DEVI, Wife of Late Umesh Paswan, Resident of Village- Sukki Dih, P.O. and P.S. Khajauli, District Madhubani.
 2. Rahul KUMar @ Rahul Kumar Paswan (Under Guardianship of Chinta Devi), Son of Late Umesh Paswan, Resident of Village Sukki Dih, P.O. and P.S. Khagauli, District Madhubani At Presently residing at Mohalla- Harding Road, Ward No. 9 near R-Block Gumti, P.O. G.P.O., P.S. Gardanihag, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Govt. of Bihar, Patna.
3. The Inspector General of Police, Patna.
4. The Superintendent of Police, Begusarai.
5. The Accountant General, Bihar, Patna.
6. Smt. Tila Devi, 1st Wife of Late Umesh Paswan, Resident of Village-Sukkidih, P.O. and P.S. Khajauli, District Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Roy, Advocate
For the Respondent/s	:	Mr. P.K. Verma (AAG-3)
For the Accountant General:		Mr. Arun Kumar Arun, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 12-11-2020 Heard learned counsel for the petitioner, State and the Accountant General.

Pursuant to the direction of this Court, a counter affidavit has been filed on behalf of respondent no.4. In para 10 and 11 of the counter affidavit, following stand has been taken, which is quoted herein below:

“10. That after receipt of the report from S.P., Madhubani, a letter was written by the S.P., Begusarai to the petitioner no.1 Chinta Devi



asking her to submit all the relevant papers with regard to minor children of Late employee vide memo no. 711/A.Cell dated 18.09.2020 so that steps could be taken to make family pension to the minor children.

11. That it is further respectfully submitted that as soon as the relevant documents are submitted by these petitioners the respondents shall proceed for payment of family pension to the minor children of second wife of deceased employee.”

From Annexure- C to the counter affidavit, it is evident that Superintendent of Police, Begusarai has issued letter to petitioner no.1 to place relevant documents with regard to minor children of late employee so that step may be taken for payment of family pension to the off spring from second wife.

In view of letter, as contained in Annexure- C, the writ application is disposed. The Court hope and trust that petitioner no.1 will submit the documents mentioned in Annexure- C along with a copy of this order within a period of six weeks from today and on submission of all the relevant documents, the Superintendent of Police, Begusarai shall ensure payment of family pension to the son or the daughter, who were minor on the date of death of the employee until they attain the age of 21/25 years in terms of the relevant circulars of the State



Government at the earliest preferably within a period of one month from the date of submission of the relevant documents.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

uday/-

U			
---	--	--	--

