

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4430 of 2020

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Savitri Devi, Wife of Late Mohan Kumar Singh, Resident of Village-Ram Nagar, P.S.-Gaighat, District-Muzaffarpur, at present-Chanakyapuri Ahiyapur, Dist.-Muzaffarpur (Bihar).

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary of Human Resources Department Govt. of Bihar at Patna.
2. The Principal Secretary Salary and Pension Department Establish, Karmik Secretariat, Patna.
3. The Accountant General (A and E), Bihar, Patna.
4. The Treasury Officer, Muzaffarpur.
5. The District Magistrate, Siwan.
6. The District Programme Officer (Establish), Siwan.
7. The Block Education Officer, Bhagwanpur Hat, Dist.-Siwan.
8. The Head Master, Govt. Middle School Bhishampur, Circle-Bhagwanpur Hat, District - Siwan.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Navin Kumar Sinha, Advocate
For the Respondents	:	Smt. Shilpa Singh (GA12)
For Accountant General	:	Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 24-06-2020

Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned counsel appearing on behalf fo the Accountant General.

The instant writ petition has been filed for a direction to the respondents to pay difference of salary and pensionary benefits as per report of 5th Pay Revision Commission.



Learned counsel for the petitioner would submit that the husband of the petitioner retired on 31.01.1998 and after retirement he died but her husband was not getting the benefit of 5th Pay Revision Commission. There is statement in paragraph 9 of the writ petition that the service-book of husband of the petitioner was made available to the petitioner on 06.06.2019 by D.P.O. for appropriate action and thereafter the process for revision of the pay-scale was initiated and the matter with regard to payment of revised family pension of the petitioner is still pending.

Considering the fact that the petitioner is widow of ex-employee, who retired on 31.01.1998 and the claim relates to payment of post retiral dues on account of revision of pay-scale, the writ petition is disposed of with a direction to the respondents to examine the claim of entitlement of the petitioner in the light of the relevant circulars and extend the benefit of pay revision and ensure payment of legitimate dues of the petitioner, if not already paid, at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order. District Programme Officer (Establishment), Siwan is directed to take immediate action for obtaining necessary sanction/authority slip from the office of the



Accountant General. The Accountant General is expected to complete all the formalities at the earliest so that the benefit may reach to the petitioner within four months failing which the petitioner shall be entitled to 9% interest on entire dues from the date of filing of the writ petition i.e. 26.02.2020 till the date of actual payment.

With the aforesaid observation and direction, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29.06.2020
Transmission Date	N.A.

