

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4702 of 2020

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Kamla Devi W/o Late Mahendra Narayan Singh, Resident of Village-Baghrasi, P.S. Jamalpur, Dist.-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Treasury Officer, Darbhanga.
2. State Bank of India through Branch Manager/Chief Manager, State Bank of India Branch, Supaul Branch, Biraul, Darbhanga.
3. Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
4. Head Master of the Middle School Parsarma, Block Gandol District-Darbhanga.
5. Chief General Manager, State Bank of India, West Gandhi Maidan, Patna.
6. Treasury Officer, Darbhanga.
7. Branch Manager/Chief Manager, State Bank of India Branch, Supaul Branch, Biraul, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Neeraj Kumar
For the Respondent/s	:	Mr. Sarvesh Kumar (GP 24)
		Mr. Sunil Kumar Singh, Advocate
		Mr. Kaushlendra Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-06-2020 Heard learned counsel for the petitioner, State and the State Bank of India.

The petitioner claims additional family pension after attaining the 90 years. The petitioner is aged about 91 years. She has crossed the age of 90 years and as such she is entitled to additional pension.

Learned counsel for the petitioner would submit that on attaining the age of 80 years the petitioner is entitled to 20% additional family pension, on attaining age of 85 years 30% additional pension and after 90 years the petitioner is entitled to 40% additional family pension.



Learned counsel for the Bank would submit that in fact the petitioner has been paid excess and therefore, it is a case of adjustment and not a case of payment of additional pension.

Considering the the fact that the petitioner has attained the age of 91 years, the respondents are hereby directed to grant additional family pension to the petitioner on completion of 80 yeas 20%, on attaining the age of 85 years 30% and on attaining the age of 90 40% respectively and ensure payment of balance amount, if not already paid,

The writ petition is disposed of with the direction to the Bank to pass a reasoned and speaking order and provide calculation chart as to entitlement of the petitioner and ensure payment of balance amount, if any, found payable to the petitioner within a maximum period of 60 days from the date of receipt/production of a copy of this order after adjusting excess amount, if any.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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