

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9859 of 2019

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Mahanth Rai, Son of Late Parmeshwar Rai, Resident of Village - Barharwa,
P.S. - Chainpur, Distt. East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar.
2. The Principal Secretary, Home Department, Govt. Of Bihar
3. The Director General of Police, Bihar, Patna
4. The Superintendent of Police, Sitamarhi
5. The Accountant General of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Respondent/s : Mr.P.K. Verma (Aag3)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 16-06-2020 Heard learned counsel for the petitioner, State and the

Accountant General.

The grievance of the petitioner in the present writ application is that he is 75% handicapped and fully dependant upon his father.

Learned counsel for the petitioner submits that father of the petitioner retired on 01.05.1997. The mother of the petitioner pre-deceased the father. The father of the petitioner died on 10.02.2014 and on account of the fact that petitioner is 75% handicapped, he is entitled for payment of pension, as there is none in the family to take care of his livelihood and other necessity, including his life.



Since the matter is pending for the last more than one year, the writ application is disposed of with a direction to the respondents to examine whether Bihar Pension Rules permits family pension to a person, handicapped to the extent of 75%, as claimed by the writ petitioner.

Necessary enquiry in this regard may be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order and if the Bihar Pension Rules permits family pension to the physically challenged like the petitioner, then appropriate order should be passed for payment of family pension in favour of the petitioner.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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