

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9776 of 2019

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Ram Lali Devi Wife of Late Madan Mohan R/o Village-Rajua Bakhari, P.S.
Mehsi in the District of East Champaran

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar, Patna
2. The Principal Secretary, Human Resources Department, Government of Bihar, Patna
3. The Commissioner Tirhut Division, Muzaffarpur
4. The Director Higher Secondary Education, Bihar, Patna
5. The Deputy Director Area Education, Tirhut Division, Muzaffarpur
6. The District Education Officer Vaishali at Hajipur
7. The Accountant General Bihar, Patna

... .. Respondents

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Appearance :

For the Petitioner : Mr.Sunil Kumar, Advocate
For the Respondents : Smt.Binita Singh (SC28)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 06-07-2020 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The instant writ petition has been filed for the

following reliefs:-

“(I) To quash the letter No. 52 dated 15.03.2016 passed by Deputy Director of Area Education, Tirhut Division, Muzaffarpur in which it has been mentioned in pursuance of Letter No. 2026 (vi) dated 4.3.2014 issued under the signature of Deputy Secretary, Finance Department, Bihar, Patna and Letter No.1566 dated 8.12.2014 issued under the signature of the Director (Secondary Education), Bihar, Patna the claim of the petitioner for revision of family pension in pursuance to Senior Selection Grade has been rejected.



(II) Also to direct the respondents to revise the family pension of the petitioner in pursuance to senior selection grade pay scale granted to the husband of the petitioner.

(III) Also to make payment of arrears of family pension consequent to granting of Senior Selection pay scale to the husband of the petitioner.

(IV) Also for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”

In the counter affidavit filed on behalf of respondent no.5, paragraph 12 whereof is quoted hereinbelow for ready reference:-

“12. That it is stated and submitted that the petitioner’s husband completed service for 24 years on 01.02.1989. His claim for year-wise senior selection grade pay scale may be considered in the meeting of Departmental Promotion Committee as per rule but there is a postponement on the meeting of Departmental Promotion Committee vide memo no. 5066 dated 11.04.2019 issued by General Administration Department. As soon as the said postponement is withdrawn, the case of the petitioner's husband will be considered as per rule.”

Noticing the aforesaid, the writ petition is disposed of with a direction to the respondents to convene the meeting of the Departmental Promotion Committee for consideration of the case of husband of the petitioner for grant of promotion and for consequential benefits in the nature of arrears and revision of pension. The entire exercise must be completed by the respondents within a maximum period of four months from the



date of receipt/production of a copy of this order, failing which the petitioner shall be entitled to interest at the rate 9% per annum from the date of filing of the writ petition i.e. 29.09.2020 till the date of actual payment.

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

(Anil Kumar Upadhyay, J)

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