

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9294 of 2019

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Smt. Mridula Devi, W/o Late Kailash Prasad, at present Resident of
L.I.G.R/312 Imlichowk, Harmu Housing Colony, Ranchi, Permanent R/o
Moh- Kanhauligarh Shukla Road, Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar State Housing Board 6, Sardar Patel Marg
Patna-15, (Bihar)
2. The Accountant General, Bihar Mahalekhakar Bhawan, Beer Chand Patel
Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sajal Kumar Sinha
For the Respondent/s : Mr.(B.S.H.B.)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 15-06-2020 Heard learned counsel for the petitioner, State
Housing Board and Accountant General.

The grievance of the petitioner in the present writ
application is non-finalization of 10% pension and gratuity of
her late husband.

Earlier, the husband of the petitioner was granted
provisional pension and gratuity at the rate of 90%. Thereafter,
the respondents are sitting tight over the matter for the last more
than 18 years and further the petitioner has not been paid full
family pension and gratuity on the basis of 100% pension of her
late husband.

The Office of the Accountant General, Bihar instead
of issuing authority slip for payment of full family pension,



issued authority slip on the basis of 90% pension and gratuity of her late husband and thus the petitioner is subjected to deprivation of the actual family pension and gratuity, resulting into recurring loss in fixation of family pension.

The instant writ application was filed on 24.04.2019. The petitioner is suffering from adverse impact of indecisiveness on the part of the respondents for the last several years.

Considering the aforesaid, the writ application is disposed of with a direction to the respondent Housing Board as well as Accountant General, Bihar to make necessary correction in the authority slip and ensure revision of family pension after adding 10% of the pension and gratuity of the late husband of the petitioner and also calculate and redetermine the family pension of the petitioner.

It goes without saying that after determination of the family pension, the respondents shall ensure payment of entire dues on the basis of revised calculation preferably within a period of three months from the date of receipt/production of a copy of this order, failing which the petitioner shall be entitled to 9% interest per annum on the dues from the date of filing of the writ application i.e. 24.04.2019 till the date of actual payment.



With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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