

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11301 of 2019

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1. Rita Devi W/o Late Shambhu Kumar Sisodiya Vill.- Dola, P.o.- Dhewdha, P.s.- Pakri Barawan Distt.- Nawadah
 2. Chandan Kumar Sisodiya S/o Shambhu Kumar Sisodiya Vill.- Dola, P.o.- Dhewdha, P.s.- Pakri Barawan Distt.- Nawadah
 3. Suryakant Kumar Sisodiya S/o Shambhu Kumar Sisodiya Vill.- Dola, P.o.- Dhewdha, P.s.- Pakri Barawan Distt.- Nawadah

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Rural Development Department, Govt. of Bihar, Patna
3. The District Magistrate Nawadah
4. The Sub-Divisional Officer Nawadah
5. The Block Development Officer Narhat, Nawadah

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Respondent/s : Mr.Harish Kumar (Gp8)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-06-2020 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are aggrieved by non finalization of family
pension.

Learned counsel submits that husband of the petitioner
no.1 and father of petitioner nos. 2 and 3 died in harness on
19.5.2018 but respondents have not finalized the family
pension. He submits that in terms of Bihar Pension Rules all the
petitioners are entitled to family pension.



Learned counsel appearing on behalf of the State would submit that there are two criminal cases are pending against the deceased husband of petitioner no.1 for embezzlement of fund under Mukhyamantri 7 Nischay Yojna.

Considering the fact that husband of the petitioner no.1 died without determination of the liability either in the departmental proceeding or criminal case, the respondents are directed to take appropriate decision with regard to payment of family pension and other dues admissible to the petitioners under the Bihar Pension Rules, if not already decided within a maximum period of three months from the date of receipt/production of a copy of this order and ensure full payment, failing which the petitioner shall be entitled to 9 per cent interest from the date of filing of this writ application till the date of actual payment.

Filing of the criminal case against late husband of the petitioner no.1 is no ground to deny family pension to the petitioners.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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