

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11666 of 2019

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Sarswati Devi Wife of Late Nagendra Raman Resident of Village + P.O.
Basudeopur Chandel, P.S. Mahnar, District-Vaishali at Hajipur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Engineer in Chief cum-Additional Commissioner-cum-Special Secretary, Building Construction, Govt. of Bihar, Patna.
3. The Chief Engineer, Building Construction, Govt. of Bihar, Patna
4. The Superintending Engineer, Building Construction and House department, North Bihar, Sub-Zone, Muzaffarpur.
5. The Executive Engineer, Building Division, Vaishali at Hajipur.
6. The Accountant General, Bihar, Patna.
7. The District Accounts Officer, District-Vaishali at Hajipur

... .. Respondents

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Appearance :

For the Petitioner	:	Dr. Om Prakash Om, Advocate
For the Respondents	:	Mr. Raj Ballabh Prasad AAG16
For Accountant General	:	Mr. Namrata Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 18-06-2020

Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned counsel appearing on behalf of the Accountant General.

The writ petition has been filed by the petitioner for a direction to the respondents to grant pensionary benefit and other retiral dues to the petitioner.

In view of the judgment of this Court in the case of



Mobina Khatoon Vs. The State of Bihar reported in 2019 (2) BLJ 9, the writ petition is disposed of with a direction to the respondents to ensure payment of family pension to the petitioner as the husband of the petitioner died on 06.08.1998 for more than ten years and as such, the case of the petitioner is squarely covered by the aforesaid judgment in the case of **Mobina Khatoon** (supra). Necessary action granting family pension with all consequential monetary benefits shall be taken by the respondents at the earliest preferably within a maximum period of three months from the date of receipt/ production of a copy of this order. In case there is delay in payment of pensionary benefits within the time indicated above, the entire amount will carry interest at the rate of 9% per annum from the date of death of husband of the petitioner till the date of actual payment which shall be borne out from the pocket of the erring officers.

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

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.06.2020
Transmission Date	NA

