

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13216 of 2019

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Ramchandra Prasad Singh Son of Late Parmeshwar Singh Resident of Village
-Bahuara, Ward No. 8, P.O.-Bahuara, District-Vaishali-844502

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Accountant General (A and E) Bihar, Patna
3. The Collector cum District Magistrate Vaishali
4. The District Education Officer Vaishali
5. The Treasury Officer Hajipur, Vaishali
6. The Branch Manager State Bank of India (SBI), Branch-Hajipur, Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sharma, Adv
For the State	:	Mr.Prabhakar Jha (Gp27)
For the A.G	:	Mr. Vivekanand Kumar, Adv
For the Bank	:	Mr. Harshwardhan Sahay, Adv

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 17-06-2020

Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel for the Accountant General and State Bank of India.

This writ petition has been filed by the petitioner for a direction to the respondent authorities to revise pension of petitioner with effect from 1.1.2006 and to make additional payment of pension to petitioner in terms of circular vide memo



no.820 dated 23.9.2009 issued by Finance Department, Government of Bihar by virtue of this, petitioner is entitled for additional pension on attaining age of 80 years.

Date of birth of petitioner is 18.2.1927 and he retired from government service from post of teacher on 28.2.1985 and drew his pension vide PPO No.128107 and attained 80 years of age on 18.2.2007.

Counter affidavit has been filed on behalf of District Education Officer in which it has been stated that the competent authority to grant additional pension in addition to revised pension is the concerned bank from where petitioner is getting pension and a request letter dated 1.8.2019 has been sent by the District Programme Officer (Establishment) Vaishali to the State Bank of India, Hajipur, Vaishali to take appropriate action on the claim of petitioner.

Counter affidavit has also been filed on behalf of Accountant General, Bihar, Patna in which it has been stated that according to Finance Department resolution, the revision of pension as per 6th Pay Commission with effect from 1.1.2006 and to make payment of additional pension has to be made by the concerned pension disbursing authority.

Although no counter affidavit has been filed on behalf



of State Bank of India but its counsel has submitted that he has received instruction that revision of pension and additional pension as well as all arrears due to petitioner shall be paid as soon as he submits life certificate in the bank.

The writ petition is disposed of with a direction to the Branch Manager, State Bank of India, Hajipur Branch, vaishali to revise the pension of the petitioner with effect from 1.1.2006 in terms of resolution of Finance Department, Government of Bihar as well as additional pension in terms of circular issued by Finance Department, Government of Bihar, as referred above if not already done and pay to the petitioner along with arrears as soon as life certificate is submitted by the petitioner, within three months from date of submission of life certificate by the petitioner.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.06.2020
Transmission Date	NA

