

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13858 of 2019

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Urmila Devi Wife of Late Birendra Singh Resident of Village - Parshuray,
Police Station - Khudaganj, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Chief Secretary, Government of Bihar, Patna
3. The Additional Chief Secretary, Department of Education, Bihar, Patna
4. The Director Secondary Education, Bihar, Patna
5. The District Education Officer Nalanda
6. The District Programme Officer (Establishment) Nalanda at Biharsharif

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent/s : Mr. Prabhakar Jha (Gp27)

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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 the parties.

This writ petition has been filed by the petitioner for a direction to the respondent authorities to enhance the family pension of petitioner after taking into consideration 6th and 7th Pay Revision notification and after re-calculating the same pay to petitioner revised family pension along with arrears with interest.

It is submitted that petitioner is a widow lady whose husband late Birendra Kumar who was working as Assistant



Teacher in High School, Nepura, Berauti, Nalanda died in harness on 22.8.1989.

The family pension of the petitioner was fixed as Rs.1650/- per month in terms of resolution of Finance Department vide memo no.660 dated 8.2.1999 and thereafter Accountant General vide memo no.9046 dated 5.7.2000 issued the authority slip and petitioner has also admitted that the family pension was rightly fixed.

Petitioner is aggrieved by fixation of family pension under 6th Pay Revision as well as 7th Pay revision. The family pension for which petitioner was found to be entitled pursuant to 6th Pay Revision was Rs.3,730/-, however, according to petitioner, it was wrongly calculated and family pension ought to be Rs.5,142/- with effect from 1.4.2007. After 7th Pay Revision, the family pension of petitioner ought to have been fixed as Rs.13,470/- with effect from 1.4.2007 whereas petitioner is getting Rs.9,590/- per month.

It is further submitted that petitioner has filed representation on 28.11.2017 and 18.12.2018 before the respondent authorities to correct the amount of family pension in accordance with 6th and 7th Pay Revision but same is still pending before the authorities.



The writ petition is disposed of with a direction to respondent no.5, the District Education Officer, Nalanda to consider the representation of petitioner for enhancement of family pension in tune with 6th and 7th Pay Revision resolutions within three months from the date of filing of fresh representation by the petitioner along with a certified copy of order passed by this Court.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.06.2020
Transmission Date	NA

