

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 7575 of 2017

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Mira Kumari, Daughter of Late Mohan Prasad Pandey, Resident of Village – Sahuli, P.S. –
Hussainganj, District - Siwan Petitioner/s

Versus

1. The State of Bihar through The District Magistrate
2. The Block Development Officer, Block Office, Ander, Siwan
3. The District Accounts Officer, Siwan
4. The Senior Treasury Officer, Siwan
5. The Branch Manager, State Bank of India, Gopalpur, District – Siwan
6. The Accountant General Bihar, Birchand Patel Path, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Lalit Kishore, AG

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

07 31-08-2020

Heard learned Advocate for the petitioner, State and the
Accountant General.

The petitioner is the daughter of the service holder who has died.
The mother of the petitioner also has died. This writ petition has been
filed by the daughter of the service holder for a direction to the
respondents to make payment of arrears and difference of pension
amount on the basis of revised pay-scale which accrued in the account
of her father.



It is the case of the petitioner that the service holder retired on 31.01.1996 from the post of Head Clerk from Block Office, Ander, Siwan, but he was not given his pension and other benefits on the basis of the revised pay-scale.

Learned counsel for the Accountant General has, however, informed this Court that an authority slip was issued and whatever was due to the late father of the petitioner has been paid.

Learned counsel for the State also ratifies the aforesaid submissions made on behalf of the Accountant General.

Learned counsel for the petitioner, however, has submitted that despite the petitioner having given a representation before the Block Development Officer, Ander, Siwan that in the event of the parents of the petitioner having died, the revised pension be paid in the account of the petitioner.

However, it appears that the amount of pension and arrears of pension has been remitted in the bank account of her late father. The further contention of the petitioner is that the pension has been paid on the basis of old pay-scale and the two revisions in the pay-scale have not been taken into account for fixing the pension.

In that view of the matter, this Court directs that in the event of the petitioner making a detailed representation and charting out her claims before the Block Development Officer, Block Office, Ander Siwan (Respondent No. 2) within a period of eight weeks, the same shall be verified by the concerned respondent after liaising with the Accountant General's office and the concerned Branch Manager of the Bank where the service holder maintained an account and in which account the amount has been remitted, and shall ensure that the petitioner being the only surviving heir of the petitioner is paid the amount which is due to her father. The whole exercise should be completed within a period of eight weeks from the date of receipt of such representation by the petitioner.



The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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