

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.466 of 2019

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Asha Devi W/o Late Ram Swaroop Rai, resident of Village and P.O.-
Simarwara Durgapur, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Pr. Secretary, Education Department, Govt. of Bihar, Patna.
2. The Pr. Secretary Education Department Government of Bihar, Patna- 1.
3. The Director General, Bihar Middle Education Department, Aamrapali Bhavan, Bailey Road, Patna- 1.
4. The Accountant General, Bihar Patna, Birchand Patel Marg, Patna- 1.
5. The Dy. Director, Regional Education, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar Karan
For the Respondent/s : Mr.Jitendra Kr. Roy 1- Sc13

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 19-06-2020

Heard Mr. Jayant Kumar Karan, learned counsel for the petitioner, Mr. Jai Prabhat Kishore, AC to SC13 and Mr. Shiv Kumar, learned counsel for the Accountant General.

In the present case, learned counsel for the petitioner submits that during pendency of this writ application, the substantial money, with respect to different heads, has been paid but, the grievance has been raised with regard to the step being not taken for making payment of family pension as well as the amount of gratuity has not been paid to the petitioner. He further submits that though the money has been paid in different heads but, it does not include interest part and submits that the State should be directed for making payment of interest portion to the petitioner.



Learned counsel for the State submits that the substantial amount has been paid to the petitioner and, with regard to rest of the amount, he submits that the same is in pipeline and that would also be paid to the petitioner in a short span of time.

In that view of the matter, this case is disposed of with a direction to the State to start making payment of family pension to the petitioner including gratuity as the same has not been paid to her. With respect to interest part, this Court directs the State, if they have not already added the interest portion from the date of payment, the statutory interest should also be paid to the petitioner in all items.

It goes without saying that when the gratuity would be paid to the petitioner, it will carry interest at the rate of 5% per annum up to the date of actual payment.

It is expected from the State that the it would start making payment of family pension and gratuity within a period of six weeks from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.06.2020
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