

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1670 of 2020

Most. Reshmi Devi W/o Late Jaylal Tiwari, Resident of Village- Nayagaon,
P.S.- Nayagaon, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Registrar General, Patna High Court, Patna.
3. The Registrar, Civil Court, Aurangabad.
4. The General Manager, State Bank of India, Anta Ghat, Gandhi Maidain, Patna.
5. The Assistant General Manager, Centralize Pension Processing Centre, Judges Court Road, Patna.
6. The Chief Manager, State Bank of India, Centralize Pension Processing Centre, Judges Court Road, Patna.
7. The Branch Manager, State Bank of India, Nayagaon Branch, Saran.
8. The Treasury Officer, Saran at Chapra.
9. The Accountant General, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh
For the Respondent/s : Mr. Chitranjan Sinha (PAAG-2)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 01-09-2020 The present writ petition has been filed for directing the respondent authorities to re-start the family pension of the petitioner herein, pay the arrears of the family pension payable to the widow petitioner and further direct the respondents not to deduct any amount from the family pension being paid earlier to the petitioner herein.

The learned counsel for the petitioner has submitted that the respondents have acted arbitrarily and have not only reduced the family pension being paid to the widow petitioner but have also stopped making payment of the family pension amount to the petitioner herein.

Per contra, the learned counsel for the respondents,



referring to the counter affidavit filed on behalf of the respondent nos. 4 to 7, has submitted that the recovery being made from the widow petitioner has been stopped and the recovered amount of age old benefit totalling to a sum of Rs. 46,982/- has also been refunded back to the petitioner. It is further submitted that the arrear amount of age old benefit with effect from December, 2018 to November, 2019 totalling to a sum of Rs. 80,098/- has also been paid to the petitioner herein. It is further submitted that since the date of birth of the petitioner has been recorded as 10.02.1922 in the records of the State Bank of India, the petitioner is eligible for getting old age extra benefit of 30 per cent of basic pension after completing the age of 85 years i.e. with effect from 01.04.2007 to 31.01.2012 in terms of 6th pay revision recommendations. Accordingly, the differential amount of old age pension admissible to the petitioner over and above the pension being already paid to her for the period 01.04.2007 to 31.01.2012 is a sum of Rs. 1,113.00. It is also submitted that after completion of 90 years of age the petitioner is entitled to payment of old age extra benefits of 40 per cent of basic pension for the period 01.02.2012 to 31.01.2017 which totals up to an extra amount of Rs. 2,885.00. It is further stated that since the petitioner has



completed 95 years of age in the month of February, 2017, the petitioner has become entitled to further old age extra benefit @ of 50 per cent of her basic pension with effect from 01.02.2017 to 31.12.2019 which totals up to a sum of Rs. 76,100/-. Thus, the differential arrears of old age pension for the period 01.04.2007 to 31.12.2019 totals up to a sum of Rs. 80,098/-, which has already been credited in the account of the petitioner on 27.01.2020.

I have heard the learned counsel for the parties and perused the materials on record from which it appears that the grievances of the petitioner has been redressed especially in view of the fact that no rejoinder affidavit has been filed to controvert the aforesaid facts stated by the respondents in their counter affidavit filed on 31.01.2020 and 25.02.2020.

Considering the aforesaid facts and circumstances of the case, the present writ petition stands disposed off as having become infructuous, however, with liberty to the petitioner to raise any of her subsisting grievances before the appropriate authorities, if so advised.

(Mohit Kumar Shah, J)

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