

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19884 of 2018

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Rahber Naqvi, D/o Late Saiyed Sibte Ahmad, R/o Mohalla Mogalpur Chhoti
Bazar, P.S. Khajekalan, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary P.W.D. Bihar, Patna.
2. Principal Secretary, Finance Department, Bihar, Patna.
3. Accountant General, Bihar, Patna.
4. Executive Engineer, National Highway Division, Aurangabad.
5. Additional Secretary, Finance (Pension Dept.) Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Raj Dular Sah, Advocate
For the State	:	Mr. Tripurari Nath Ambastha, AC to SC-26
For the Accountant General	:	Mr. Kumar Priya Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 27-04-2021

Heard learned counsel for the petitioner and learned
counsel for the respondents through video conference.

2. The present writ petition has been filed for “*issuance of an appropriate writ/writs direction/directions commanding the Respondents authorities to grant family pension to the petitioner as her father after retirement was getting pension and after his death her mother was getting pensionary benefits till her death further for any other relief/reliefs for which the petitioner is entitled in the facts and circumstances of the case.*”

3. Learned counsel for the petitioner states that during the pendency of the writ petition, the petitioner began receiving the family pension consequent upon the death of her mother on



14.09.2016, but however such family pension was not paid for the period between 15.09.2016 and 25.09.2018. It is therefore, submitted that the petitioner is entitled for the arrears of pension for such period.

4. Learned counsel for the State appears and has been heard. It is stated that the petitioner has informed that she has since been married on 10.12.2020 and has thus requested for discontinuance of payment of family pension to her (Annexure-C series to the supplementary counter affidavit).

5. Having heard the parties and on consideration of materials on record, this Court is of the view that the ends of justice will be met by granting liberty to the petitioner to approach the Executive Engineer, National Highway Division, Aurangabad (respondent no. 4) with an appropriate representation for redressal of her remaining grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of in accordance with law after grant of an opportunity of hearing to the petitioner, within a further period of eight weeks thereafter. To enable disposal, the petitioner shall furnish her mobile number and email ID to the respondent no. 4 within a week from today.



6. It is made clear that in view of the ongoing Covid-19 pandemic, any correspondence between the parties may be made through email and the petitioner shall be at liberty to request for hearing through video conference.

7. The writ petition stands disposed of with the aforesaid directions.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	---
Uploading Date	29.04.2021
Transmission Date	---

