

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7691 of 2017

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Girija Devi Wife of late Ram Krishna Prasad Resident of Mohalla- Adarsh
Nagar, Ghorasahan, P.S.- Ghorasahan, District- East Champaran.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director, Health, Government of Bihar, Patna.
3. The Civil Surgeon-cum-Chief Medical Officer, East Champaran, Motihari.
4. The Incharge Medical Officer Primary Health Centre, Ghorasahan, East
Champaran, Motihari.
5. The Civil surgeon-cum-Chief Medical Officer, Madhubani.
6. The Director, Directorate of Provident Fund, Bihar, Patna.
7. The District Provident Fund Officer, East Champaran.
8. The Treasury Officer, East Champaran.
9. The Accountant General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad Kunwar
For the Respondent/s : Mr.Pankaj Kumar-Sc12

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

18 16-09-2021 This matter has been taken up for hearing *on-line*
because of COVID-19 pandemic restrictions.

The petitioner is a widow of a retired government
servant (Medical Officer). She has approached this Court
seeking direction to the State respondents for payment of death-
cum-retiral dues consequent upon death of her husband.

During the pendency of the writ application, payments
have been made against various heads to the petitioner. This is,
however, an admitted fact that recently the office of Accountant



General has issued authority slip for payment of additional amount of Rs.26,000/- against remaining gratuity. Further, the Accountant General has issued revised authority slip for payment of pension at revised rate.

Learned counsel appearing on behalf of the petitioner has, however, submitted that the amount of gratuity has not been credited in the petitioner's account and she is yet to receive pension at revised rate though the authority slip was issued in April, 2021 itself. He has also submitted that rate of pension fixed by the respondents is defective and she is entitled for amount of pension at higher rate than what has been fixed.

Considering the facts noted above, this application is disposed of with a direction to ensure that the amount, which has been authorized by the office of the Accountant General for payment to the petitioner against the gratuity and pension consequent upon its revision must be paid to the petitioner within a period of one month from today. As regards petitioner's claim for pension at higher rate and that of payment of arrears of salary and benefits of grant of promotion etc, which the deceased employee was entitled to, but was illegally denied, she shall be at liberty to approach the Director-in-Chief, Health Services, Government of Bihar, with a representation raising her



claims in this regard. If any represent is made within one month from today, the same shall be duly considered and disposed of by the Director-in-Chief, Health Services, Government of Bihar, within a period of two months thereafter. If the petitioner's claim is found to be valid by the Director-in-Chief, Health Services, Government of Bihar, he shall proceed accordingly and ensure that the petitioner is paid her legal entitlements soon thereafter.

This application stands disposed of with aforesaid direction.

(Chakradhari Sharan Singh, J)

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