

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23475 of 2018

=====

Sapna Suman D/o late Kanak Lal Ram Resident of Naya Bazar, Kaswa Gola,
Ghat Lane, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Bank Of India Through Its Chief Manager, Patna.
2. The Chief Manager, State Bank of India, Patna.
3. The General Manager, State Bank of India, Patna.
4. The Regional Manager(Region-I), State Bank of India, Bhagalpur.
5. The Branch Manager, Tatarpur Branch, State of India, Bhagalpur.
6. Lalita Devi W/o Mahavir Prasad, D/o Kulesh Ram Permanent Address-
Resident of Kauri Kuthari, Village- Bhagaiya, P.S.- Meharna,
Goddha(Jharkhand), Present Address- Resident of Naya Bazar, Kaswa Gola,
Ghat Lane, P.O. Naya Bazar, P.S. Tatarpur, District- Bhagalpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Advocate
For the SBI	:	Mrs. Namrata Mishra, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 04-03-2021

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The following reliefs as formulated by the
petitioner have been claimed in the writ petition--

*“(i) Direction to the respondents authorities to
issue family pension in favour of the present
petitioner and her sister.*

*(ii) Direction to the respondent authorities to
make other payments in favour of the present
petitioner and her sister.*

(iii) Direction to the respondents authorities



not to make any payment in favour of Lalita Devi.

(iv) Any other relief or reliefs which the petitioner may be found entitled to.”

3. At the outset, learned counsel for the petitioner was asked if a rejoinder would be required to be filed in response to the counter affidavit filed on behalf of the respondent-State Bank of India, to which he stated that no rejoinder is required to be filed in the matter.

4. Without going deep into the merits of the claim of the petitioner, this Court takes note of the categorical statement in paragraph 12 of the writ petition to the effect that consequent upon the death of her father, nothing has been paid to the petitioner and her sister, rather one Lalita Devi has started getting pension of her deceased father. On the other hand, the complete details of payments made to Lalita Devi (second wife of the deceased father of the petitioner), Sandhya Suman (sister of the petitioner) and the petitioner herself, have been enumerated in paragraph 4 of the counter affidavit. Reference has also been made to Annexure-D, which is a letter written by the three payees aforesaid addressed to the State Bank of India specifying the proportion in which the payment would be distributed *inter se*.



5. Contrary stand has been taken by the parties with regard to the petitioner having received any payment, which goes to the root of the issue. In view of such disputed question of fact, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	05.03.2021
Transmission Date	-

