

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15597 of 2018

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Mosmat Kunti Devi Wife of late Sukharam Prasad Resident of Village and
P.O. Badka Dumra, P.S. Ara Mufassil, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The District Magistrate, Bhojpur.
3. The District Magistrate, Buxar.
4. The Sub-Divisional Magistrate, Buxar.
5. The District Provident Fund Officer, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Bansh Roy, Advocate Mr. Pranav Kumar Jha, Advocate
For the Respondent/s	:	Mr. Harshvardhan Shiv Sundaram, Advocate Mr. Awadhesh Kumar Pandey, Advocate Mr. R.K. Sharma, (CGC)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 08-12-2022

Heard Mr. Suraj Bansh Roy, learned counsel appearing
on behalf of the petitioner and Mr. Harshvardhan Shiv Sundaram,
learned counsel for the State.

2. The present writ petition has been filed seeking a
direction upon the respondent to ensure the payment of family
pension at the rate which has been revised and fixed as per New
Pay Scale Fixation, effective from the year 1986, 1996 and
thereafter from 2006 onward till the date of superannuation of the
husband of the petitioner.



3. A counter affidavit has been filed on behalf of the respondent nos. 3 and 4 and by referring to the averments made in the counter affidavit it has been submitted that all the admissible retiral benefits as well as arrears of difference of salary have stood paid to the petitioner.

4. At this juncture, learned counsel for the petitioner submits that till date certain benefits have not been paid on the basis of the revised pay scale and, as such, the grievance of the petitioner has not been fully redressed.

5. In view of the submissions made on behalf learned counsel for the parties, the present writ petition stands disposed of with a direction to the petitioner to file a representation before the District Magistrate, Buxar, within a period of four weeks' from today, if such a representation is filed, raising the remaining grievance of the petitioner, the concerned respondent shall consider the same and pass reasoned and speaking order, preferably within a period of eight weeks, thereafter.

6. It is needless to say that if the claim of the petitioner finds favor, necessary consequential order of payment must be passed within the aforesaid period.



7. Accordingly, the present writ petition stands disposed
of with the aforesaid observation and direction.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.12.2022.
Transmission Date	NA

