

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8541 of 2021

=====

Girija Devi, wife of Late Baiju Singh, Resident of Village Datiyana, P.S.-
Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bhagalpur.
4. The Deputy Inspector General of Police Bhagalpur Range, Bhagalpur.
5. The Superintendent of Police, Munger.
6. The Accountant General, Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Raghvendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. Deepak Kumar, AC to GP-4
For the Accountant General:		Mr. Dr. Anand Kumar, Advocate
		Mr. Ranjan Prallesh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 14-11-2022

Heard Mr. Raghvendra Kumar Singh, learned counsel
for the petitioner, Mr. Deepak Kumar, learned AC to GP-4, for the
State and Dr. Anand Kumar, learned counsel for the Accountant
General, Bihar, Patna.

2. The present application has been filed seeking a
direction upon the respondent authorities to make payment of
arrears of pension of late husband of the petitioner along with
admissible interest and penal interest on account of delayed
payment.

3. It is submitted by the learned counsel for the
petitioner that the petitioner, who happens to be a hapless widow



had been moving before the Court since 1991, when her husband died. He further submits that earlier the petitioner had moved this Court in C.W.J.C. No. 13231 of 2007, which was disposed of with a direction to the respondent authorities to consider the grievance of the petitioner and ensure the necessary payment in accordance with law. However, as the order was not complied, the petitioner was compelled to file a contempt petition, bearing M.J.C.No. 2347 of 2014, wherein a show-cause was filed showing payment of all the retiral dues. He further submits that though the retiral benefits during the pendency of the contempt petition was granted to the petitioner, but again arrears of pension/family pension remain due, which resulted into filing of the present writ application. He further contended that during the pendency of the present writ application, now the arrears of pension as well as family pension has been allowed to the petitioner, after a long delay.

4. On the other hand, learned counsel for the State submits that the office of the Accountant General (A & E), Bihar, Patna vide Memo No.1416 dated 25.03.2021 has sanctioned an amount of Rs.8,77,041/- for payment of arrears of family pension to the petitioner for the period 01.07.1984 to 01.06.2015 and the same has been credited to the account of the petitioner.

5. Admittedly with regard to the delay in making payment of aforesaid arrears of pension/family pension has not



been disclosed and prima facie it appears that delay has occurred in making payment of the pension/family pension to the petitioner, whose husband had superannuated in 1984 and died way back in the year 1991.

6. Considering the aforesaid submissions and the materials available on record, the present writ application is disposed of with a direction to the petitioner to file a detailed representation along with the materials in support of her claim of interest over the delayed payments. If such representation is filed before the Superintendent of Police, Munger, within a period of four weeks from today, he/she shall consider the same and pass a reasoned and speaking order within a further period of four weeks.

7. It is needless to say that if the petitioner is found entitled for interest over the delayed payment, the same would be made available to her within the aforesaid period.

8. The writ application stands disposed of with the aforesaid observations and directions.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.11.2022
Transmission Date	NA

