

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14078 of 2021

Kalpana Sinha

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Roona, Adv

For the Respondent/s : Mr. Rameshwar Singh (GP-25)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-11-2022 Heard Ms. Roona learned counsel appearing on behalf
of the petitioner and learned counsel for the State.

Learned counsel for the petitioner seeks permission to
make necessary correction in the prayer portion of the writ
application.

Permission is accorded.

The present writ application has been filed seeking
direction to the respondents to grant family pension to the
petitioner w.e.f 14.08.2020 in the light of Resolution of Finance
Department dated 28.10.2018, whereby the unmarried/ widow
dependent daughter of the deceased employee has been allowed
family pension.

It is contended that father of the petitioner namely,
Dr. Birendra Kumar Sinha, was Medical Officer in the surgency
of Dharbhanga and after serving so many years, he



superannuated on 31.01.2000 from the office of the Civil Surgeon, Dharbhanga. She further submits that after his superannuation, he had been drawing his pension till his death on 14.02.2014, thereafter, his family pension has been started in favour of the mother of the petitioner but unfortunately, she also died on 20.05.2019. She next contended that the petitioner was all through out dependent on her parents and she had no independent income and on account of his dependency, the petitioner through out stayed with her parents in their home and was maintained by them. Unfortunately, the husband of the petitioner namely, Dr. Rakesh Kumar also died on 13.08.2020 after his prolonged illness. She lastly contended that for ventilating her grievance, she also filed a detailed representation before the Principal Secretary Health & Family Welfare Department, Government of Bihar, Patna on 03.10.2020, which was duly received on 12.10.2020 as is evident from endorsement made by the department of Health.

Considering the submissions, made on behalf of the petitioner, the present writ application stands disposed of with direction to respondent no. 4 to consider the representation of the petitioner and after calling from the record from the concerned Civil Surgeon -cum- Medical Officer, Darbhanga,



the same be disposed of preferably, within a period of eight weeks from the date of receipt/ production of copy of this order.

It is needless to say that if the case of the petitioner finds favour necessary consequential order be passed within the aforesaid period.

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

(Harish Kumar, J)

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