

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11523 of 2018

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Abada Khatoon, Wife of Late Md. Ismile @ Shekh Ismail, resident of Shekh Toli, Post- Piro, Police Station- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Health Department, Government of Bihar, Patna.
2. The District Magistrate, Bhojpur at Ara.
3. Civil Surgeon, Bhojpur at Ara.
4. Accountant General, Bihar, Patna.
5. Regional Manager, Punjab National Bank, Bihar, Patna.
6. Chief Manager, Punjab National Bank, Pension Branch, Circle Office, Ara.
7. Branch Manager, Punjab National Bank, Branch Piro, Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramashray Roy, Advocate
For the Respondent/s	:	Mr. Aditya Nath Jha, AC to SC-18
For the Bank	:	Mr. Kumar Priya Ranjan, Advocate
		Mr. Girish Nandan Abhishek, Advocate
For the Accountant General:		Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 03-11-2022

Heard Mr. Ramashray Roy, learned counsel for the petitioner, Mr. Kumar Priya Ranjan, learned counsel for the Bank, Mr. Arun Kumar Arun, learned counsel for the Accountant General and Mr. Aditya Nath Jha, learned AC to SC-18.

The present writ application has been filed directing the respondent authorities to restrain them from reducing the family pension of the petitioner, which has been reduced without giving any notice and assigning any reason.

During the course of argument, learned counsel for the petitioner submits that it has been found that in absence of age



proof, certain additional amount had been granted to the petitioner, which was to be recovered from the family pension, amounting to Rs.3,04,791/-. It is next contended that the petitioner would be satisfied, if after recovery of the aforesaid amount, the updated pension would be restored to the petitioner.

On the other hand, Mr. Kumar Priya Ranjan, learned counsel appearing on behalf of the Bank submits that he has no objection on the submissions made on behalf of the learned counsel for the petitioner and, in fact, the Bank is under obligation to restore the updated family pension, after completion of recovery process.

In view of the submissions made on behalf of the learned counsel for the parties, the writ application is disposed of with a direction to the concerned Bank authorities that after realization of the excess amount, the family pension of the petitioner be restored, on the basis of just and updated calculation.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.11.2022
Transmission Date	NA

