

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22611 of 2018

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Gyanti Singh D/o of Late Baidyanath Singh Resident of Punjabi Colony Gali
No.1 Ward No.9,P.O. Samastipur HO,District-Samastipur

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The General Manager,E.C. Railway,HajipurBihar
3. The Chief Personnel Officer,E.C. Railway Hajipur Bihar
4. The Chief Personnel Officer Administration E.C. Railway,Hajipur,Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arun Kumar Jha Adv.
For the Respondent/s	:	Mrs.Priyanka Raj Lakshmi, C.G.C Mr.Pradeep Kr. (Sr. Panel Counsel)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 08-12-2022

On 08.09.2022 the following order was passed.

For the first time respondents are contending that Gyanti Singh-petitioner is not real daughter of late Baidyanath Singh. In this regard, a detailed speaking order has not been passed and communicated to the petitioner. Therefore, concerned authority is hereby directed to pass a detailed speaking order and place it on record before the next date of hearing, failing which concerned respondent shall be present in the Court.

Re-list this matter on 13.10.2022.

Respondents have filed counter affidavit along



and in supplementary counter affidavit order dated 07.10.2022 is enclosed. Perusal of the speaking order it is evident that they have disputed the claim of the petitioner that she is not the real daughter of the deceased late Baidyanath Singh and at the same time they have discussed even on merit as to how the petitioner is not entitled with reference to policy decision dated 16.03.2005 and R.B.E-152/2006 read with the age of the petitioner as on the date of her mothers' death, she was aged about 54 years old. On the other hand, family pension to a son or daughter including divorce widow daughter would be extended upto the age of 25 years.

In the light of these facts and circumstances, the petitioner has not made out a case so as to interfere with the order of the Central Administrative Tribunal, Patna Bench, Patna passed in O.A No. 050/00495/2015.

Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

shoaib/-

(Purnendu Singh, J)

AFR/NAFR	
CAV DATE	
Uploading Date	15.12.2022.
Transmission Date	

