

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24919 of 2018

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Smt. Raj Kishori Devi wife of Late Dr.Ayodha Prasad Singh Prakash,
Resident of 328, Navit Colony, Hanuman Nagar Kali Mandir Road, P.S.-
Patrakar Nagar District -Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The Principal Secretary, Health Department Government of Bihar, Patna.
3. The Accountant General Bihar, Birchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Kiran Kumari, Advocate.
For the Respondent/s : Mr. Braj Bhushan Mishra, AC to AAG 9.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-11-2022

Heard Mrs. Kiran Kumari, learned counsel for the petitioner and Mr. Braj Bhushan Mishra, AC to AAG 9 for the State.

The present writ application has been filed seeking direction upon the concerned respondent authorities to ensure payment of family pension to the widow-petitioner since her husband, namely, Dr. Ayodhya Prasad Singh 'Prakash' died on 08.08.2016.

It is submitted that the sole petitioner Smt. Raj Kishori Devi died on 02.11.2019 in expectation of her family pension, as she was asked to bring succession certificate in order to get family pension, however, the succession certificate was issued in her



name on 15.06.2020 by the learned Sub-Judge-XVI, Patna, in Succession Case No. 70 of 2016. It is next submitted that after the death of Smt. Raj Kishori Devi, the wife of the erstwhile employee, one interlocutory application no.1 of 2020 was filed for implicating the name of her only daughter, namely, Ambuj Prakash wife of Ram Lakhan Prasad Singh, but unfortunately, she also died on 28.11.2020. Hence, interlocutory application no.2 of 2021 is filed for substitution of the name of the son of Ambuj Prakash, namely, Vishal Kumar who is the legal heir of the sole petitioner Smt. Raj Kishori Devi.

In view of the submissions made on behalf of the learned counsel for the petitioner, the I.A. No.2 of 2021 is hereby allowed.

At this juncture, learned counsel for the State by referring to the statements made in the counter affidavit filed on behalf of the respondent no.2 submits that after submission of the succession certificate, vide memo no.534(17) dated 02.08.2022, the sanction order has already been issued in favour of the deceased widow of deceased employee for payment of family arrears of pension for the period 09.08.2016 to 02.11.2019. It has also been directed that the payment of period in question will be



made in the joint bank account of Mr. Vishal Kumar and late Raj Kishori Devi.

Considering the submission made on behalf of the learned counsel for the State and the materials available on record, *prima facie* it appears that the grievance of the petitioner stands redressed. However, in case any grievance remains with the petitioner, liberty is to be granted that he may approach before the concerned authority for redressal of his grievance.

Accordingly, the present writ application stands disposed of with aforesaid liberty.

(Harish Kumar, J)

manoj/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.12.2022.
Transmission Date	NA

