

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3718 of 2023

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Bibha Singh Wife of Late Jay Kumar Singh (Constable No. 280), Resident of Ramnagar, Ward No. 7, Purnea, Post-Polytechnic, P.S.-Maranga (K. Hat), District-Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home (Police) Department, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. Superintendent of Police, Purnea.
4. District Treasury Officer, Purnea.
5. The Accountant General, Bihar, Bir Chand Patel Path, Patna.
6. The State Bank of India through its Assistant Managing Director, Centralised Pension Processing Centre, 4th Floor, Administrative Office, Judges Court Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Jha, Adv.
For the State	:	Mr. Md. Nadim Seraj (Gp5), Mr. Shailesh Kumar, AC to GP-5
For the S.B.I.	:	Mr. A.Harsh, Adv.
For Accountant General	:	Mr. Vivekanand Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 21-08-2023

Heard Mr. Ajay Kumar Jha, learned counsel appearing on behalf of the petitioner, Mr. Md. Nadim Seraj and Mr. Shailesh Kumar, learned counsels appearing on behalf of the State, Mr. A.Harsh, learned counsel appearing on behalf of the S.B.I. and Mr. Vivekanand Kumar, learned counsel appearing on behalf of the Accountant General.



2. Learned counsel appearing on behalf of the petitioner informs that pension of the petitioner has been revised and authority has been issued in this regard and communicated to the Treasury Officer, Purnea vide letter dated 16.08.2023.

3. Considering the aforesaid information, this Court directs the District Treasury Officer, Purnea to forthwith credit the entire amount of pension and gratuity into the account of the petitioner, if already not paid to him.

4. So far as recovery part of Rs. 3,69,414/- is concerned, which has been recovered from the monthly family pension of the petitioner by the Bank, the same is directed to be credited into the account of the petitioner by the District Treasury Officer, Purnea, who has accepted that the recovery is not in accordance with law.

5. The petitioner may file detail representation before the concerned authority for making payment of due interest on delay of payment as well as illegal recovery from him in accordance with law as laid down by the Hon'ble Supreme Court in the case of *(2015) (4) SCC 334 (State of Punjab & Ors. Vs. Rafiq Masih (White Washer) & Ors.)* and subsequently in the case of *Thomas Daniel Vrs. State of Kerala & Ors. (Civil Appeal No. 7115 of 2010)* reported in *2022 LiveLaw (SC) 438*.



6. The petitioner, if so advise, may also file a detail representation for payment of any other retiral dues in accordance with law.

7. The above exercise must be undertaken by the concerned authority within a period of six weeks from the date of filing of the representation.

8. With the above observation and direction the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

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

