

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5767 of 2023

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Chintamani Devi Wife of Late Birenda Kumar Sharma, Resident of Village-Sanda, P.S.-Islampur, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Road Construction Department, Govt. of Bihar, Patna.
4. The Director, Provident Fund Directorate, Pant Bhawan, Patna.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv.
For the State	:	Mr. Swapnil Kumar Singh, AC to GP-19
For Accountant General	:	Mr. Binod Kumar Labh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 08-08-2023

Heard Mr. Sanjay Kumar, learned counsel appearing on behalf of the petitioner, Mr. Swapnil Kumar Singh, learned counsel appearing on behalf of the State and Mr. Binod Kumar Labh, learned counsel appearing on behalf of the Accountant General.

2. Learned counsel appearing on behalf of the petitioner informs that no departmental proceeding was pending against the petitioner and her deceased husband namely Late Birendera Kumar Sharma, had retired on 30.06.2002 and died on 23.05.2019.



The petitioner is indignant of non-payment of due amount of pension of her husband. He further submits that no departmental proceeding was pending against the deceased employee. The petitioner is entitled to entire amount due to her deceased husband from the date of his retirement till his death and family pension is required to be paid from year 2017 to the petitioner being the legally wedded wife of the deceased employee.

3. Learned counsel further submits that petitioner is now residing in the State of Jharkhand and she has attained the age of more than 66 years and she finds difficulty in sustaining herself in want of family pension being paid to her even though her husband had died in the year 2017.

4. Learned counsel seeks to file detail representation before the Engineer-in-Chief-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna, respondent no. 3.

5. The Engineer-in-Chief-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna, respondent no. 3 is directed to dispose of the representation of the petitioner and ensue that petitioner is paid entire dues and family pension on account of the death of her husband in accordance with law. He must direct the competent authority to sanction the pension of the



deceased employee and family pension of the petitioner for its fixing by the Accountant General, Bihar within a period of three weeks from the date of filing of the representation. He must also ensure to communicate to the competent authority of the State of Jharkhand where the petitioner is residing for payment of retiral dues and family pension.

7. The Accountant General, Bihar is directed to fix the family pension of the petitioner within a further period of three weeks from the date of receipt of sanction letter and must ensure to send it to the Treasury Officer, Patna/Jharkahnd from any place where the petitioner wants for payment of family pension in her account.

8. The concerned Treasury Officer must forthwith credit the amount of family pension into the account furnished by the petitioner.

9. 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

