

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10823 of 2021

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Nagina Devi W/o Umesh Kumar Mahto, R/o Village Prem Bahonda, P.O. Ghatho, P.S. Ujiyarpur, Dist- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Chief Engineer, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Superintendent Engineer, Tube Well Division, Mohiniya, Kaimur.
4. The Accountant General, Bihar, Patna.
5. The Treasury Officer, Samastipur.
6. The Chief Manager, S.B.I., Patna.
7. The Assistant Manager, S.B.I., Dalsinghsarai, Samastipur.
8. The Secretary, Minor Irrigation Department, Govt. of Bihar at Patna.
9. The Executive Engineer, Minor Irrigation Department, Tube Well Division, Mohania at Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s	:	Mr. Vishawambhar Prasad, AC to AAG 5
For the SBI	:	Mr. Rakesh Kumar Singh, Advocate
For the AG, Bihar	:	Mr. Binod Kumar Labh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

9 16-05-2023 Heard the parties.

Pursuant to the last order dated 15.05.2023, the Senior Treasury Officer, Samastipur is present in person.

A supplementary counter affidavit has been filed on behalf of the respondent no. 5. Paragraph-5 of the same reads as follows:-

“ 5. That the statement made in Para No. 1(ii), 2(ii) and 13 of the writ petition, that Shri



Umesh Kumar Mahto appears in Treasury after one years of PPO issue date 16.12.2010. Thereafter pension started from March 2013. The Accountant General, Bihar, Patna requested Vide this office letter no. 631 dated 27.07.2013 to issue sanction order of arrear pension payment from December 2010 to February 2013 amounting Rs. 5,29,937/- according to Bihar Treasury Code 2011 Rule 239 (ii). Sanction order for arrear payment is not received from Accountant General, Bihar, Patna. A reminder letter send to A.G. Bihar, Patna for issuance of sanction order of arrear pension vide this office letter no. 273 dated 16.03.2023.

Again a reminder letter sent to Accountant General, Bihar, Patna vide this office letter no. 425 dated 09.05.2023 for issue sanction order of arrear pension from December 2010 to February 2013 amount Rs.5,29,937.00 in the light of Bihar Treasury Code 2011, Rule-239.

The A.G. Bihar, Patna issued Arrear Pension Payment Sanction order letter no. Pen-08-240 on dated 11.05.2023 as per Bihar Treasury Code 2011, Rule-239 which is received on 15.05.2023 in this treasury and same was handed over to Branch Manager, State Bank of India, Samastipur to send authority to Branch Manager, State Bank of India, Dalsighsarai for payment of Arrear Pension from December 10 to February 13 amounting Rs. 5,29,937.00 vide this office Memo No. 263 dated 15.05.2023.”



Mr. Rakesh Kumar Singh, who represents the State Bank of India submits that he will ensure that the payment is made to the petitioner, the moment, the documents are received by the Bank.

In view of the fair submission put forward by the learned Counsel for the Bank, the matter needs to be disposed of.

Accordingly, on the undertaking of Mr. Rakesh Kumar Singh, learned counsel for the Bank and with the consent of the petitioner and the State Government, the writ petition stands disposed of.

The presence of Senior Treasury Officer, Samastipur is hereby dispensed with.

So far as the claim of the interest and/or other grievance is/are concerned, the petitioner always have the remedy to make the necessary petition before an appropriate authority in accordance with law.

(Rajiv Roy, J)

Jagdish/Neha/-

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