

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7001 of 2023

=====

Rita Devi, W/O Late Ram Sobhit Paswan R/o Village- Goriyara, P.S.- Karja,
District-Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
2. Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
3. District Magistrate, Muzaffarpur.
4. District Panchayati Raj Officer, Muzaffarpur
5. Block Development Officer, Gayghat, Muzaffarpur.
6. Office of the Accountant General, Bihar, Patna through its Secretary.
7. Secretary, Office of the Accountant General, Bihar, Patna.
8. District Accounts Officer, Muzaffarpur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar Thakur, Advocate Mr. Sanjeev Kumar Mishra, Advocate
For A.G.	:	Mr. Binod Kumar Labh, SC (A.A & AD)
For the State	:	Mr. Anwar Karim, AC to G.P-10

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 18-08-2023

Heard Mr. Shankar Kumar Thakur, learned counsel appearing on behalf of the petitioner; Mr. Binod Kumar Labh, learned counsel appearing on behalf of Accountant General and Mr. Anwar Karim, learned AC to G.P.-10 for the State.

2. In the present writ petition, the petitioner has prayed for following reliefs:

“(i) For direction to District Magistrate, Muzaffarpur to grant arrears of pension of the petitioner’s deceased husband to the petitioner from 01.03.1997 to 23.07.1999 along with statutory interest,



who superannuated from the post of Panchayat Secretary on 28.02.1997 while working in the Gayghat Block of Muzaffarpur district.

(ii) For direction to the District Magistrate, Muzaffarpur to grant arrears of family pension to the petitioner from 24.07.1999 to till date along with statutory interest and onwards following death of her husband on 23.07.1999 after superannuation from the post of Panchayat Secretary in the Gayghat Block of Muzaffarpur district.”

3. Learned counsel appearing on behalf of petitioner seeks to file a detailed representation before the Block Development Officer, Gayghat, Muzaffarpur. Learned counsel for the petitioner submitted that the case of the petitioner is squarely covered by a decision of this Court passed in case of *Raj Kishore Sinha vs. State of Bihar and ors* reported in *(2023) 4 PLJR 560*.

4. Considering the above submission made on behalf of the petitioner and the fact that petitioner has restricted his prayer for getting his grievance redressed by the B.D.O., Gayghat, Muzaffarpur, the petitioner, if so advised, may file a detailed representation before the Block Development Officer, Gayghat, Muzaffarpur along with the relevant documents and evidences as well as the law laid down by this Court as well as Apex Court for redressal of grievance of the petitioner. The



Block Development Officer, Gayghat, Muzaffarpur is directed to pass a reasoned order on the representation filed on behalf of the petitioner and take appropriate steps to make payment of retiral dues including the pension due to the deceased employee and family pension of the petitioner within a period of six weeks from the date of filing of the representation.

5. It goes without saying that on account of delay in making payment of retiral dues, the petitioner is entitled for interest at the rate of 12.5% in the light of the law laid down by the Apex Court in the case of *State of Kerala v. M. Padmanabhan Nair* reported in (1985) 1 SCC 429 and *D.D. Tewari v. Uttar Haryana Bijli* reported in (2014) 8 SCC 894.

6. With the above observations and directions, the present writ petition stands disposed of.

(Purnendu Singh, J)

manish/-Minu

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.08.2023
Transmission Date	

