

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10008 of 2023

Shobha Pandey, W/o-Late Birendra Narayan Pandey, R/o-H.No. 3 M.F. Bhoothnath Road, Bahadurpur Housing Colony, Sampatchak, District-Patna, Bihar-800026.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Food and Consumer Protection Department, Government of Bihar, 11, Mangal Road, Veerchand Patel Road, Area, Patna, Bihar-800015.
2. Accountant General, Mahalekhakar Bhawan, J42G and JR2, Veerchand Patel Road, Area, Patna, Bihar-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Kumar Singh, Advocate
For the Respondent/s	:	Mr. Vijay Kumar Sinha, Advocate
For the A.G.	:	Ram Kinkar Choubey, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 14-12-2023 Heard the parties.

2. The petitioner claiming herself to be widow of Late Virendra Narayan Pandey, who superannuated on 30.06.2013 from the service of Food and Consumer Protection Department, Government of Bihar as an Assistant District Supply Officer and subsequently died on 24.11.2021, filed the present writ petition seeking a direction upon the respondents to release family pension with immediate effect and also to ensure payment of arrears of family pension due since February, 2022 till date, amounting to Rs. 2,96,408/-.

3. It is submitted that on account of some typographical error in the pension payment order, the date of



birth of the petitioner has been mistakenly entered as 30.04.1969 instead of 30.04.1967. On complaint being made, the O.S.D. of the department of Food and Consumer Protection, Government of Bihar issued a letter no. 1410 dated 25.03.2022 to the Deputy Accountant General, Bihar, requested therein to make appropriate change in the date of birth of the petitioner in the pension payment order.

4. The Accountant General, Bihar vide letter no. 354 dated 05.07.2022 requested the department to place the related rules or circular for change of date of birth in the pension payment order and accordingly the same was responded by the department and informed to the office of the Accountant General, Bihar that the correction can be done in terms of the letter no. 549 dated 29.04.2015.

5. In the light of the letter no. 549 dated 29.04.2015 issued by the Finance Department, Government of Bihar, Patna necessary correction has been made in the P.P.O. vide letter dated 14.08.2023 issued under the signature of Senior Accounts Officer, Bihar, Patna, and accordingly a corrected authority letter has been issued and communicated to the Treasury Officer, Bhabhua to ensure the admissible payment.

6. Considering the submissions advanced on behalf of



the respondents and the materials available on record, the present writ petition stands disposed of with a direction to the Treasury Officer, Bhabhua to ensure the payment of arrears of family pension as well as current family pension forthwith, if not done.

7. The learned counsel for the State is requested to communicate this order to the Treasury Officer, Bhabhua so that necessary payment must be made, in accordance with law.

(Harish Kumar, J)

supratim/-

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