

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15835 of 2022

Radha Devi Wife of Late Hareshwar Singh, resident of village and P.O. Mathiya Bhopat, P.O. Mathiya Bhopat, P.S. Dharharwa, District - East Champaran at Motihari, presently residing at village- Mathiya Dih, P.O. Rup Dih, P.S. Chhatauni, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Under Secretary, Education Department, Government of Bihar, Patna.
3. The District Education Officer, East Champaran at Motihari, District - East Champaran at Motihari.
4. The Treasury Officer, East Champaran at Motihari, District - East Champaran at Motihari.
5. The Treasury Officer, East Champaran at Motihari, District - East Champaran at Motihari.
6. The Punjab National Bank through the Zonal Chief, Zonal Office, Chankaya Tower R Block, Patna.
7. The Zonal Manager, Punjab National Bank, Zonal Office, Chankaya Tower R Block, Patna.
8. The Chief Manager-cum-Authorized Officer, Punjab National Bank, Zonal Office, Aghoria Bazar, Muzaffarpur.
9. The Branch Manager, Punjab National Bank, Main Branch, Motihari, District - East Champaran at Motihari.
10. The Accountant General (A and E), Bihar, Patna.
11. The Senior Accounts Officer, Office of the Accountant General (A and E), Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Respondent/s : Smt. Binita Singh (SC- 28)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-02-2023 Learned counsel for the petitioner submits that the defect as point out may be ignored as contents are clear.

Permission granted.

Heard learned counsel for the petitioner, counsel for the State, counsel for the Bank and counsel for the Accountant General.

The present application has been filed directing the respondent-Bank to make payment of arrears of family pension of petitioner w.e.f. 01.04.2007 as well as the current pension accordingly pursuant to the letter issued by the office of A.G. dated 30.05.2019 addressed to the Treasury Officer, Motihari, according to which the family pension of the petitioner was fixed Rs.4170/- and the same was duly forwarded by the Treasury Officer to the Punjab National Bank, Main Branch, Motihari on 01.08.2019 for payment.

Counsel for the petitioner submits that the husband of the petitioner was superannuated from the service on 31.08.1986. He was working as Assistant Teacher in the Nationalized Primary School, Inarwa situated in district office, East Champaran. Counsel further submits that upon retirement, the pension payment order was issued in favour of the husband of the petitioner vide PPO No. 153504 and it was sent to the Treasury Officer, Motihari and payment of pension has been started. In the pension paper name of the petitioner was entered as the wife. After death of the husband of the petitioner on

25.06.2003 leaving behind his widow the petitioner started getting family pension in his bank Account No. 1562000300058918 in the Punjab National Bank, Main Branch, Motihari. With the lapse of time, the family pension of the petitioner was revised and vide Memo No.Pen-10-Cell-2-137(19-20) it was intimated that the payment of family pension of Rs.4170/- was payable to the petitioner w.e.f. 01.04.2007 (Annexure-P2). The said letter was also forwarded by the Treasury Officer to the respondent-PNB for payment of family pension at the revised rate but the said revised pension has not been paid to the petitioner, therefore, the petitioner has demanded an information from the Zonal Manager, Punjab National Bank on 02.07.2020 but no response was made.

Counsel further submits that petitioner is an old aged lady about 95 years and due to inaction on the part of the P.N.B., her admitted dues are not being paid.

Counsel for the State and counsel for the Accountant General submit that entitlement of the petitioner about payment has already communicated to the bank and as per the contents of the writ petition, it transpires that inaction is only on the part of the bank.

Counsel for the bank assures to this court that there is

no lapse on the part of the bank and bank shall immediately pay the money to the petitioner within time frame.

In this facts and circumstances, the Zonal Manager, P.N.B., Zonal Office, Chankaya Tower, R Block, Patna is directed to assure the payment of family pension and also arrears of pension in the account of the petitioner within four weeks from the date of communication of this order before him by the petitioner.

Delay in payment shall be resulted into imposition of 9% interest on the admitted dues of the petitioner and the said payment shall be realised from the authorities of the P.N.B. responsible for non payment.

With this direction, this writ application is disposed off.

(Dr. Anshuman, J.)

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