

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15945 of 2022

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Smt. Mishra Devi wife of late Nageshwar Bhandari resident of Village and Post- Nagar Panchayat, Jhanjharpur, Ward No. 13, P.S.- Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home Affairs, Government of India, New Delhi.
2. The Under Secretary, Government of India, Ministry of Home Affairs, Freedom Fighter Division, Loknayak Bhawan, Khan Market, New Delhi.
3. The State of Bihar through the Secretary, Department of Home (Special), Bihar, Patna.
4. The Deputy Secretary, Department of Home (Special), Bihar, Patna.
5. The District Magistrate, Madhubani.
6. The Additional Collector, Madhubani.
7. The Deputy Collector, District Records Office, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jagannath Singh, Advocate Mr. Gaurav Kumar Verma, Advocate
For the UOI	:	Mr. Alok Kumar Jha, Advocate
For the State	:	Mr. Manoj Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2023 The present writ petition has been filed seeking the following relief:-

"1. That the present writ application is being filed for issuance of a writ in the nature of certiorari for quashing order dated 06.06.2022, issued by the Under Secretary, Government of India, Ministry of Home Affairs, respondent no. 2, by which claim of the petitioner for grant of independence pension under Swatantrata Sainik Samman Pension has been rejected on the ground that the petitioner is not legally wedded wife of the freedom fighter Lt.



Nageshwar Bhandari to whom Swatantrata Sainik Samman Pension was sanctioned on 15.08.1972, in view of a decision taken by the Ministry of Home Affairs, Government of India.

II. For issuance of a writ in the nature of mandamus directing the respondent authorities to start forthwith the dependent pension of the petitioner under the scheme of Swatantrata Sainik Samman Pension for which she is entitled."

At the outset, the learned counsel for the petitioner submits that in view of the statement made in the counter affidavit filed by the respondents to the effect that the petitioner is the illegitimate wife of the freedom fighter in question, she be granted liberty to avail such other remedies as are otherwise available under the law. Liberty so sought is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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