

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20458 of 2019**

Vijay Kumar Ray S/o Late Ram Ayodhaya Ray Resident of Village- Rajaur,  
Rajpur, P.s.- Nayagaon, distt.- Saran at Chapra

... .. Petitioner/s

Versus

1. The Union of India through its the Director General Central Industrial Security Force, having its office Shastri Bhawan, New Delhi
2. The Director General Central Industrial Security Force, having its office at C.G.O.S. Complex, Lodhi Nagar, New Delhi
3. The Deputy Director General Central Industrial Security Force, having its office at C.G.O.S. Complex, Lodhi Nagar, New Delhi
4. The Commandant C.I.S.F. having its office G.B.S. Shastri Nagar, New Delhi
5. The Deputy Commandant C.I.S.F., having its office G.B.S. Shastri Nagar, New Delhi
6. Zonal Inspector General of C.I.S.F. Bihar, Patna
7. Mostt. Chandni Kumari W/o Late Sonu Kumar Ray D/o Dilip Ray, Resident at present village- Rahar Diharo, P.O. and P.S. Sonepur, District- Chapra (Saran)

... .. Respondent/s

**Appearance :**

|                          |   |                                              |
|--------------------------|---|----------------------------------------------|
| For the Petitioner/s     | : | Mr. Aditya Narayan Singh.1                   |
| For the Respondent/UOI : |   | Mr. Awadhesh Kumar Pandey (Sr. Panel Lawyer) |
| For the Respondent-7     | : | Mr. Awdhesh Kumar Singh                      |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

6      21-02-2023                      The present writ application has been filed seeking a direction to the respondents - C.I.S.F. to pay family pension to the petitioner as well as the respondent no. 7. According to the petitioner he is the father of the deceased employee, who was working in the C.I.S.F. as a Constable and died in a road accident.

Learned counsel for the Union of India as well as the respondent no. 7 took an objection that the petitioner is not



included in the definition of “*family*” as prescribed in the C.C.S. (Pension) Rules. As per Rule 54(14)(2b) definition of “*family*” in relation to Government servant means- “wife in the case of a male Government servant or husband in the case of a female Government servant”. Learned counsel for the Union of India / C.I.S.F. referring to Annexure R-9 to the counter affidavit filed on behalf of the Union of India submits that in the service book the deceased has mentioned the name of the respondent no. 7 as “next of kin”.

After having heard learned counsel for the parties and taking into consideration the relevant Rule as pointed out by respondents and Annexure R-9 to the counter affidavit of Union of India, I come to the conclusion that no direction can be issued to the respondents for payment of family pension in favour of the petitioner.

Accordingly, this application is dismissed.

praful/-

**(Anil Kumar Sinha, J)**

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