

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P(S) No. 3044 of 2020

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| 1. Pravin Mundu @ Praveen Mundu
2. Roshni Mundu
3. Roshan Mundu
4. Amit Mundu | Petitioner(s). |
| Versus | |
| 1. Sr. Divisional Security Commissioner, South Eastern Railway, Ranchi
2. Officer-in-Charge, Bano Railway, P.S Simdega
3. Accountant General (A&E), Jharkhand, Ranchi
4. Monika Mundu | Respondent(s) |
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CORAM : HON'BLE MR. JUSTICE ANANDA SEN.

For the Petitioner(s)	: Ms. Mousmi Chatterjee, Advocate Mr. A.K. Mahato, Advocate
For the Railways	: Mr. Prabhat Kumar Sinha, Advocate
For the Resp. No.3	: Mr. Amit Kumar Verma, Advocate
For the State	: Mr. Amitesh Kr. Geasen AC to AAG-I

12/05.01.2023

Father of these petitioners namely Sudhir Mundu was an employee of Indian Railways. He died on 15.8.2013.

Admittedly, the mother of these petitioners was the second wife of the deceased Sudhir Mundu. It is the claim of the petitioners that family pensions have not been paid to them.

Counsel appearing on behalf of the Railways submits that the entire death-cum-retiral benefits i.e provident fund, gratuity, group insurance & leave encashment has been apportioned as per the Succession Certificate obtained by the petitioners along with the first wife. So far as family pension is concerned they submit that the entire family pension has been paid to the first wife of the deceased who is respondent no.4.

Since the entire family pension has already been paid to the first wife, the respondents cannot be directed to pay the said amount to the petitioners. If the petitioners have got any claim they may recover their share from the first wife, who has already received the family pension, if law permits.

Accordingly, the instant writ application stands disposed of.

(ANANDA SEN , J)