

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2497 of 2022

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Gita Devi wife of Late Upendra Malik Resident of Village and P.O.-
Bazidpur, P.S.- Vidyapati Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Bank of India through the Chairman, Respondent Nos. 1- Head Quarter, State Bank Bhawan, MC Road, Nariman Point, Mumbai, Maharashtra- 400021.
2. The Managing Director, State Bank of India, DMD (Human Resource) and Corporate Development Officer- State Bank of India. Respondent Nos. 2- Head Quarter, State Bank Bhawan, MC Road, Nariman Point, Mumbai, Maharashtra- 400021.
3. The Nodal Officer, State Bank of India, Centralised Pension Processing Centre, State Bank of India, 4th Floor, Administrative Office, Judges Court, Patna- 800001.
4. The Chief General Manager, State Bank of India, Local Head Office, Gandhi Maidan, Patna- 1.
5. The Branch Manager, State Bank of India, Bhabua Branch, District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Respondent/s : Mr. Sanjiv Kumar.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 03-09-2024

Heard the parties.

2. the petitioner is the hapless widow of late Upendra Malik, who died in harness on 31.12.2019 while working as a Sweeper in the State Bank of India, Bhabhua Branch, has filed the present writ petition for grant of death-cum-retiral benefits and other terminal dues.

3. A counter affidavit has been filed on behalf of respondent nos. 1 to 4. It is contended that for the purpose of



disbursement of provident fund, pension, gratuity and *ex-gratia* amount, the answering respondent vide letter dated 27.05.2020 had asked the petitioner to submit PAN card, Aadhar card, one passport size photograph and other details of her bank account but despite the aforesaid letter and reminders made time to time, the petitioner has never ensured her appearance before the Branch Manager nor submitted the requisite documents and, as such, no payment could be made.

4. Learned Advocate for the Bank drawing the attention of this Court to the averments made in the counter affidavit further contended that the son of the petitioner has also approached this Court in CWJC No. 2968 of 2022 with a prayer for appointment on compassionate ground. It is made clear that now in place of the provision of compassionate appointment, the State Bank of India has come out with a scheme for “Payment of *Ex-gratia* Lumpsum Amount” in lieu of compassionate appointment. However, till date no application has been filed by the petitioner even for the same purpose.

5. Considering the submissions advanced on behalf of the parties and taking note of the fact that the terminal benefits could not be accorded to the petitioner on account of non-submission of necessary documents, this Court directs the



petitioner to approach before the Branch Manager, State Bank of India, Bhabhua Main Branch on or before 20th September, 2024 along with all the afore-mentioned documents. On submission of the necessary papers, the concerned respondent(s) shall consider the claim of the petitioner and ensure payment of all the admissible benefits, preferably within a further period of four weeks thereafter, without there being any further delay in the name of unnecessary verification of documents.

6. Needless to observe that so far the claim of the petitioner’s son is concerned for his compassionate appointment, that shall be abide by the final order passed in CWJC No. 2968 of 2022.

7. The writ petition stands disposed of with the aforesaid direction.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	05.09.2024
Transmission Date	

