

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8341 of 2020

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Mosmat Mandika Devi Wife of Late Ashok Kumar Mandal @ Ashok Mandal
Resident of Village- Amahara, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Department of Panchayati Raj Government of Bihar, Patna.
4. The District Magistrate, Banka, Bihar.
5. The District Panchayati Raj Officer, Banka, Bihar.
6. The Block Development Officer, Banka Block, Banka, Dist- Banka.
7. The Block Development Officer, Chandan Block, Banka, Dist- Banka, Bihar.
8. The Accountant General, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. Dharendra Kumar, AC to AAG-6
For the Accountant General	:	Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 02-09-2024

Heard the parties.

2. The petitioner, a hapless widow, whose husband died in harness on 18.07.2019, approached before this Court seeking a direction for payment of all the terminal dues of her husband, including family pension, provident fund, gratuity, leave encashment, group insurance and other post retiral benefits.

3. Pursuant to the direction of this Court, counter



affidavit as well as supplementary counter affidavit have been filed. Finally a rejoinder to the interlocutory application has been filed on behalf of the respondent no. 7. A categorical averment has been made that on 27.07.2024, vide letter no. 641, the respondent no. 7 has intimated the Senior Accounts Officer, Accountant General, Bihar, Patna that sanction letter has been issued for payment of arrear of pension from the month of 19.07.2019 to 30.11.2023 amounting to Rs. 14,37,517/-.

4. Despite the aforementioned letter, till date, neither the authority letter has been issued by the Office of the Accountant General nor the payment has been made is the contention of the learned Advocate for the petitioner. It is also contended that the petitioner has also not been accorded the pension for the month of December, 2023 and January, 2024 inasmuch as the petitioner has been getting family pension only with effect from February, 2024.

5. Considering the nature of the grievance and the averments made in the rejoinder to the interlocutory application filed on behalf of the respondent no. 7, this Court deems it appropriate and proper to dispose off the writ petition with a direction to the Accountant General, Bihar, Patna to issue necessary authority letter in response to the sanction letter



issued by the Block Development Officer, Chandan, Banka as contained in Annexure-F to the rejoinder, preferably within a period of two weeks, from today, if not issued till date.

6. Suffice it to say that upon issuance of the authority letter, the concerned Treasury Officer shall ensure payment of all the admissible sanction amount, preferably within a further period of six weeks, thereafter.

7. The respondent no. 4 shall also look into the matter with regard to the claim of the petitioner of non payment of family pension for the month of December, 2023 and January, 2024. If the same is not accorded to the petitioner, the same also must be sanctioned and paid within the stipulated period.

8. Needless to observe that the petitioner is a hapless widow, who has been running before this Court for the last four years, any defiance in the period stipulated for payment shall be dealt with sternly.

9. The writ petition stands disposed off.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2024
Transmission Date	NA

