

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9290 of 2022

Shakuntala Devi wife of Late Radhe Singh, Resident of Village and P.O -
Khaira Dorai, Via - Haweli Kharagpur, P.S.- Tarapur, Distt- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture Department,
Govt. of Bihar, Patna.
2. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
3. The Accountant General Bihar, Birchand Patel Path, Patna.
4. The Treasury Officer, Munger.
5. The Sub Divisional Agriculture Officer, Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jyoti Ranjan Jha, Advocate
For the Respondent/s	:	Mr. Sarvesh Kr. Singh, AAG-13 Mr. Abhinaw Alok, AC to AAG-13
For the Accountant General	:	Mr. Dr. Anand Kumar, Advocate Mr. Rajan Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 01-07-2024

At the outset, learned counsel for the petitioner seeks permission to make the District Agriculture Officer, Khagaria as well as the Joint Director, Agriculture, Saharsa/Munger Division, Munger, Bihar as party respondent nos. 6 and 7 in the present case.

2. Permission is accorded.

3. Learned counsel for the petitioner, learned counsel for the State and learned counsel for the Accountant General, Bihar, Patna are present.

4. The petitioner, is the widow of the erstwhile



employee, who retired from the post of (peon) Chowkidar on 31.12.2014 from the office of Sub-Divisional Agriculture Office, Khagaria has filed the writ petition seeking a direction upon the respondents to ensure payment of revised pension on account of first and second A.C.P. as well as M.A.C.P. The petitioner also sought a direction to ensure the pension in the light of the 7th Pay Revision Committee.

5. A counter affidavit has been filed on behalf of the respondent no. 5. It is specifically contended that so far as the first and second A.C.P. is concerned, the same has already been paid to him, much earlier. So far as grant of M.A.C.P. is concerned, it is respectfully stated that the answering respondent vide its letter no. 238 dated 08.09.2022 requested the Joint Director, Agriculture for redressal of her grievance and for sanction of the M.A.C.P. in favour of the late husband of the petitioner.

6. Learned counsel for the State also drew the attention of this Court to the averments made in the counter affidavit filed on behalf of the respondent no. 3, wherein, it is stated that the P.P.O. has already been authorized as per pay position provided by the department and a letter has been sent to the Sub-Divisional Agriculture Officer, Khagaria requesting him



to send updated service book with proper sanction vide Pen-15-1301 dated 21.10.2021 under intimation to the petitioner.

7. On receipt of the same, the answering respondent undertake that necessary action will be taken in order to redress the grievance.

8. Considering the averments made in the counter affidavit and taking note of the fact that the petitioner is a widow, aged about 65 years, this Court directs the respondent no. 3 and the newly added respondent nos. 6 and 7 to ensure the revision of the pension after according the benefit of M.A.C.P and the 7th Pay Revision, if not done till date, preferably within a period of 12 weeks from the date of receipt/production of a copy of this order.

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

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.07.2024.
Transmission Date	NA

