

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14716 of 2023

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Jagmati Devi, W/o Late Giridhari Ram, Resident of Village-Sirisiyamal, P.O.-
Noneyadih, P.S.-Nakardei, Dist-East Champaran, Motihari-845305, Bihar.

... .. Petitioner/s

Versus

1. Chairman, Head Office, Uttar Bihar Gramin Bank Kalambagh Chowk,
Muzaffarpur, Bihar.
2. General Manager, Head Office, Uttar Bihar Gramin Bank, Kalambagh
Chowk, Muzaffarpur, Bihar.
3. Regional Manager, Regional Office, Uttar Bihar Gramin Bank, Balua Tola,
Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Punita Kumari Singh, Advocate
For the Respondent/s : Mr. Mahendra Pathak, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

9 29-10-2024 Heard Ms. Punita Kumari Singh, learned counsel for

the petitioner and Mr. Mahendra Pathak, learned counsel for the

Uttar Bihar Gramin Bank.

2. The petitioner has invoked the extraordinary writ
jurisdiction of this Court under Article 226 of the Constitution,
seeking a direction upon the respondent-Bank Authorities to
consider her claim for family pension and ensure payment of
monthly family pension as well as the arrears of family pension
from the date of death of her husband.

3. Learned counsel for the petitioner contended that
the husband of the petitioner, Late Giridhari Ram died in
harness on 08.09.2018 while he was posted as Branch Manager



I Machhargawa Branch under the Regional Office of East Champaran in Uttar Bihar Gramin Bank. The erstwhile employee died leaving behind his wife and children. Upon the untimely death, the petitioner sent an application to the Bank for death-cum-retiral benefits and family pension in prescribed format through registered post on 08.06.2019. The claim of the petitioner for death-cum-retiral benefits as well as pension was duly considered and the petitioner has been accorded all the substantive retiral benefits. So far the claim of the petitioner for family pension is concerned, the authorities of the Bank informed the petitioner that as she filed application for opting the family pension on 20.06.2019, the same could not be considered. It is made clear that for the last date of submission of the pension option was 02.04.2019 but the petitioner failed to opt for the same. The claim of the petitioner has turned down in view of the Regulation 3 of the Uttar Bihar Gramin Bank (Employees') Pension Regulation, 2018 (for short 'the Regulation 2018').

4. At this stage, learned counsel for the Bank fairly submitted at the Bar that the Regulation, 2018 has now been amended vide Notification dated 18.10.2024 by incorporating in Clause 3(2) that the family of the employee covered under



clauses (a) and (c) of sub-regulation (1), shall be entitled to family pension under these regulations when the family of such deceased employee refunded or refunds within thirty days from the date of notification of Uttar Bihar Gramin Bank (Employees') Pension (Amendment) Regulations, 2024 in the Official Gazette. Further, proviso (2) of Clause-3 of the Notification dated 18.10.2024 also clarified that an employee, who is required to refund the amounts under this clause may authorize the Bank to adjust these amounts from the amounts payable by the Bank to the employee. A copy of the Notification dated 18.10.2024 has been placed before this Court, which has been kept on record.

5. In view of the fair submissions made by the learned counsel for the respondent/Bank and also taking note of the amendment in the Regulation, 2018, the present writ petition stands allowed with a liberty to the petitioner to approach before the respondent authorities and avail the remedy as provided under the Uttar Bihar Gramin Bank (Employees') Pension (Amendment) Regulations, 2024.

(Harish Kumar, J)

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