

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6375 of 2024

Rehana Bano W/o- Late Md. Sagiruddin Ansari permanent resident of Village- Raipura, P.S.- Fatuha, Distt.- Patna at present resident of Village- Champapur, P.O.- Ghoshwari, P.S.- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Programme Officer, (Establishment), Patna, Bihar.
4. The Accountant General (A and E), Bihar, Birchand Patel Path, Patna-800001.
5. The Branch Manager, State Bank of India, Bakhtiyarpur, Patna.
6. The Treasury Officer, Barh, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Adv. Mr. Satyendra Kumar Bhatnagar, Adv.
For the Respondent/s	:	Mr. Sushant Praveer, AC to SC-9
For the Bank	:	Mr. Rakesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-03-2025 Heard the parties.

2. At the outset, learned Advocate for the petitioner seeks permission to make Treasury Officer, Barh, Patna as a party respondent no. 6.

3. The permission is accorded.

4. Let necessary correction be done in course of the day.

5. The petitioner, a hapless widow of the erstwhile Assistant Teacher, who superannuated on 31.12.2014 from Utkramit Middle School, Champapur, Bakhityarpur, Patna and



died on 02.03.2015, has invoked the jurisdiction of this Court seeking a direction upon the respondent to ensure family pension along with DA with effect from November, 2017 when the family pension of the petitioner has abruptly withheld.

6. Learned Advocate for the petitioner advertng to the facts enumerated in the writ petition has contended that after the superannuation of the husband of the petitioner, pension was started in favour of her husband and after his death on 02.03.2015, family pension has been released in favour of the petitioner. The enclosures including the PPO and the death certificates have been brought on record.

7. A counter affidavit has been filed on behalf of the District Programme Officer, Establishment, Patna. Contention has been made that after superannuation of an employee and issuance of PPO in the name of retired employee, the role of employer come to an end. After that, the payment of pension/family pension is to be governed under the circular of Finance Department by the paying agency, such as, Bank and the Treasury. It has been apprised that it is the Branch Manager, S.B.I., Bakhtiyarpur, who has main role to answer as under what circumstances, the family pension has not been paid to the petitioner.



8. The Bank has responded to the averments made in the writ petition with a categorical averments that the pension account of the late husband of the petitioner has not linked with the Centralized Pension Processing Center (hereinafter referred to as “CPPC”), Patna. Moreover, as per the pension payment order, late Mr. Sagiruddin Ansari was getting his regular pension directly from the Treasury Office, Barh and the pension was not transferred to the Bank or CPPC, Patna. It is further averred that on receipt of the application by CPPC, Patna, the same was responded by the authorities with an information that no record of pension found at CPPC, Patna and further stated in the letter to send the original disbursal portion of PPO to CPPC, Patna to start new family pension.

9. It is very unfortunate that the widow of the erstwhile employee has not been allowed family pension for the last six years; and on the record, there is nothing except correspondences.

10. This Court, prima facie, finds that the affidavit filed on behalf of the District Programme Officer, Establishment, Patna is not based upon the correct facts and only formality has been done. In such circumstances, this Court left with no option but to direct the District Programme Officer,



Establishment, Patna as well as newly added Treasury Officer, Barh to deliberate the matter and after completing all the paraphernalia, preferably within a period of four weeks, from today, send the necessary papers, including the original disbursal portion of PPO to CPPC, Patna whereupon the Bank shall immediately take action and ensure payment of family pension. The entire exercise must be completed preferably within a period of eight weeks, failing which the petitioner shall be entitled to interest at the rate of 8 per cent over the admissible delayed family pension.

11. The writ petition stands disposed off.

(Harish Kumar, J)

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