

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7483 of 2022

=====

Bishwanath Dubey, S/o Tilakdhari Dubey, R/o Rampur Daud, P.S.
Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

1. Union of India through Principal Secretary, Ministry of Personnel P.G and Pensions (Department of Personnel and Training).
2. The Under Secretary, Ministry of Personnel P.G and Pensions (Department of Personnel and Training), Govt. of India, New Delhi
3. The Principal Secretary, Ministry of Railways, Government of India, New Delhi
4. The Executive Director, Ministry of Railways, Raisana Road, New Delhi.
5. The Director General, R.P.F., North-East Railway.
6. The F.A and C.A.O (Pension) North-East Frontier Railway, Maligaon, Gauhati, Assam.
7. The General Manager (Finance) Postal Account, Bihar Circle, GPO- Patna.
8. The Assistant Accounts Officer, Bihar Circle, Department of Posts, GPO- Patna.
9. The Post Master, Head Post Office, Gopalganj.
10. The Post Master, Sasamusa Post Office, Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate
For the Respondent/s	:	Mr. Deepak Kumar, Sr. CGC
		Mr. Arvind Kumar, CGC

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

8 03-07-2025 Heard the parties.

2. The petitioner, who claimed to be the son of Late Tilak Dhari Dubey, the erstwhile employee, has approached this Court seeking a direction upon the respondents for additional 20% quantum of family pension and the arrears thereof along with statutory interest to his late mother, namely, Laljhari Devi,



who also died on 04.02.2021, at the age of 85 years, 1 month and 3 days.

3. A counter affidavit came to be filed on behalf of respondent no.6 with a categorical averment that as per the record available with the respondent Railways, the date of birth of late Laljhari Devi is shown as 30.11.1939, as per the family declaration made by the erstwhile deceased employee, namely, (late) Tilak Dhari Dubey on 09.09.1983.

4. It is the specific contention of the petitioner that as per the date of birth of his mother, she would have been entitled to get the arrears of 20 per cent extended family pension along with statutory interest. On the basis of the aforementioned date of birth, the PPO has been revised and issued on 30.08.2023, however, even as per the PPO, the petitioner has not received the remaining arrears of pension.

5. Considering the limited grievance of the petitioner, this Court thinks it proper to dispose of the writ petition with a liberty to the petitioner to approach before the respondent no.7 by filing a fresh representation in the light of the averments made in the counter affidavit, especially in para. 14 thereof.

6. Suffice it to observe that if such representation is filed by the petitioner within a period of four weeks from today,



the concerned respondent shall consider and dispose of the same within a further period of twelve weeks. The consequential arrears, if found admissible, the same shall be paid to the petitioner with the aforementioned period.

7. The writ petition stands disposed off.

(Harish Kumar, J)

uday/-

U			
---	--	--	--

