

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.3072 of 2024**

**In**  
**Civil Writ Jurisdiction Case No.16707 of 2022**

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Tartila Khatoon Wife of Late Md. Bahauddin, resident of Village-Nayagaon,  
Ward No. 10, P.S.-Sheyampur Bhathan, District-Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Dr. Sidharth Kumar, the Principal Secretary Education Department Govt. of Bihar, Patna.
2. Sri Mithilesh Kumar Mishra, the Director Primary Education, Govt. of Bihar, Patna.
3. Sri Pankaj Kumar, The District Magistrate, Sheohar.
4. Sri Raghvendra Mani Tripathi, the District Education Officer, Sheohar.
5. Sri Raghvendra Mani Tripathi, The District Programme Officer, Establishment, Sheohar.
6. Sri Santosh Kumar, the Treasury Officer, Sheohar.
7. Sri Raj Kumar (II), The Accountant General, Bihar, Patna.

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|---------------------------------------------------|
| For the Petitioner/s     | : | Md. Anisur Rahman, Adv.<br>Md. Khalid Anwar, Adv. |
| For the Opposite Party/s | : | Mr. S.K. Ranjan, AC to GP-17                      |
| For the AG, Bihar        | : | Dr. Anand Kumar, Adv.                             |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

4      02-05-2025                      Heard the parties.

2. In pursuant to the direction of this Court dated  
04.04.2025, two show-cause affidavits have been filed.

3. The supplementary show-cause affidavit filed on  
behalf of the O.P. No.4 categorically suggests that the delay in  
extending the benefits has occurred on account of non-  
availability of original service book of the husband of the  
petitioner. However, after making all efforts and after receipt of



the certified copy of the original service book of the deceased husband of the petitioner from the concerned Block, the same was sent to the office of the Accountant General, Bihar, Patna vide letter no.32 dated 27.04.2024. Since certain objection has been pointed out by the office of the Accountant General, the same was duly deliberated and after removal, it was again sent to the office of the Accountant General lastly on 20.01.2025.

4. Another show-cause affidavit has been filed on behalf of the Accountant General, Bihar, Patna with a categorical averment that 50% of the admissible family pension as stipulated in Note:(i) below point 7(iii) of Finance Department Resolution No. PC-1-9-16/87-1854F date 19.04.1990 has been issued in favour of the petitioner i.e. second wife of Late Bahauddin, Ex-Teacher holder P.P.O. No. 461786 vide its office letter no. PEN/Revision/13/RV7090425139999/461786P2 dated 22.04.2025. A request has also been made to the Senior Treasury Officer, Sheohar to pay family pension.

5. Considering the categorical averments made in the show-cause affidavit, as discussed hereinabove, this Court finds that the order of this Court dated 21.12.2023 passed in C.W.J.C. No.16707 of 2022 stands complied with. However, it is made



clear that the Senior Treasury Officer, Sheohar shall ensure payment to the petitioner pursuant to the authority letter issued by the Accountant General, forthwith.

6. At this juncture, learned counsel for the petitioner submits that though the petitioner was entitled to get 100% family pension on account of death of the first wife but she has been allowed 50% and, as such, liberty has been sought to assail the order, if so advised.

7. The present contempt petition stands closed, with the liberty.

**(Harish Kumar, J)**

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