

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5345 of 2015

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Gopal Jha, Son of Late Bhagwat Jha. Resident of Bahadurganj, P.O.- Bahadurganj, District - Kishanganj, Officer Scale - 1, (superannuated) the then Branch Manager, Birauli Branch, under R.O., Purnia.

.... Petitioner/s

Versus

1. Uttar Bihar Gramin Bank through its General Manager, Head Office, Kalambagh Chowk, Muzaffarpur, Bihar.
2. The Chairman, Uttar Bihar Gramin Bank, Head Office, Kalambagh Chowk, Muzaffarpur, Bihar.
3. The Regional Officer, Uttar Bihar Gramin Bank, Head Office, Kalambagh Chowk, Muzaffarpur, Bihar.
4. The Branch Manager, Birauli Branch, Purnia.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate.

For the Respondent/s : Mr. Prabhakar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 29-06-2015 Having regard to the fact that the petitioner is a dismissed employee of the Uttar Bihar Gramin Bank (hereinafter referred to as 'the Bank'), there would be no question of payment of any retirement benefit to him in terms of Regulation 67 & 72.

2. As with regard to the claim of the petitioner for payment of amount of provident fund, he may approach to the competent authority inasmuch as the Bank has nothing to do with such payment of the amount of provident fund. Since the amount of provident fund is managed under G.S.L.I., which is not a party to this writ application, this Court would refrain from issuing any direction, but then anyone, who in possession of the amount of provident fund of the petitioner, would be under obligation to at

least refund the amount of contribution of the petitioner after the petitioner fulfils the prescribed procedure for its withdrawal.

3. Subject to the aforementioned observation and direction in respect of the amount of provident fund, this writ application fails and is hereby dismissed.

4. The dismissal of this writ application, however, will not come in the way of the petitioner in claiming such amount of retirement benefit in case his pending appeal against the order of the disciplinary authority inflicting the petitioner of dismissal from service is set aside and the petitioner is directed to be reinstated in service and/or is given any other consequential benefit under the order of appellate authority.

(Mihir Kumar Jha, J)

Sujit/-

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