

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24903 of 2013

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Jawahar Lal Singh , son of Shri Ram Padarath Singh Resident Of Village-
Gauradih, P.S- Tarari, P.O- Bhakura, District- Bhojpur, Arrah.

.... Petitioner

Versus

1. The State Of Bihar
2. The Secretary- Cum- Commissioner, P.H.E.D. Bihar, Patna.
3. The Joint Secretary, Department Of P.H.E.D. Bihar, Patna.
4. The Joint Secretary (Management Cell), Bihar, Patna.
5. The Executive Engineer, Department Of P.H.E.D. Division, Jehanabad (Producing Officer)
6. The Engineer- In- Chief- Cum- Special Secretary, Department Of P.H.E.D. Bihar, Patna.
7. The District Provident Fund Officer, Jehanabad.
8. The Director General Provident Fund Pant Bhawan, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ram Bali Jha

For the Respondents :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 19-01-2015 Heard learned counsel for the petitioner and learned AC
to SC No. 26.

The petitioner, who retired under suspension during pendency of departmental proceeding has approached this court with a prayer to direct the respondents to pay entire provident fund amount. In this case petitioner has also prayed for issuance of order for promotion. It has been disclosed that after retirement departmental proceeding was converted under Rule 43B of the Bihar Pension Rules and finally, punishment order was passed. In the proceeding it was held that petitioner had taken excess

amount of Rs. 10,203/-. The order passed by the disciplinary authority was assailed by the petitioner by filing a writ petition which was allowed in the year 2012.

In this case a detailed counter affidavit has been filed on behalf of respondent no. 2 and 3 wherein, it has been indicated that all retiral dues including the amount of G.P.F. has been paid. In respect of earlier deducted amount of Rs. 10,203/- it has been indicated that after the order of the writ court, the deducted amount has already been directed to be paid to the petitioner and communication was made to the Treasury Officer. Regarding calculation of arrear, petitioner was found entitled to get Rs. 3,678/-, for which, earlier a draft was prepared but it lapsed and subsequently, draft for the said amount has been prepared on 13/8/2014 which the petitioner has not received.

Keeping in view the fact that claim of entire G.P.F. amount, which has been sought for in the present writ petition has already been redressed, there is no point to pass any positive order. The claim of promotion may not be examined in a writ petition which pertains to retiral dues.

The writ petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

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