

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3933 of 2015

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Dr. Shankar Lal Ramdas @ Shankar Lal Ramdas S/o late Chandranan lal
Ramdas resident of Muhalla- Dharmashala Road, P.O. - Kishanganj Bazar,
P.s.+ District- Kishanganj.

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Department of Health
Court of Bihar, Patna.
2. The Director, Bihar Health Service Court of Bihar, New secretariat,
Patna.
3. The Civil Surgeon Cum Chief Medical Officer, Kishanganj.
4. The Deputy Superintendent Sadar Hospital, Purnea.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore

For the Respondent/s : Mr. Ashok Kumar Choudhary- Aag13

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 24-03-2015 Heard learned counsel for the parties as with regard to the
following relief prayed in this writ application:

“I) For issuance of direction/ order or writ including writ in
the nature of a writ of mandamus/ certiorari commanding
the respondents to grant interest on G.P.F. till the date of
authorization of letter i.e. 6.9.2014 whereas petitioner has
been given interest on G.P.F. on the date of VRS 10.5.2001
and petitioner is also entitled compound interest and cost
with regard to the arrears of pension due to delay payment
to the petitioner.

II) Issuance of direction/ order or writ including writ in the
nature of writ of Mandamus/ Certiorari commanding the
respondents to grant benefit of A.C.P. as the petitioner
joined in service on 22.3.1979 as medical officer and got
VRS on 10.5.2001, therefore, the petitioner served about
22 years but has not been granted benefit of single ACP.”



So far Relief No.(ii) is concerned, this Court would not go into the issue of grant of ACP for a simple reason that this group in which the petitioner has filed the present writ application for post retirement benefit, the relief sought in paragraph 1(ii) cannot be examined. Even otherwise the issue of ACP cannot be said to be the retirement benefit.

The only other relief claimed by way of retirement benefit is for grant of interest on the amount of G.P.F. from 10.5.2001 to the date of authorization i.e. 6.9.2014. This relief also cannot be given to the petitioner because his order for voluntary retirement itself was passed on 3.4.2012 giving him the benefit of voluntary retirement with effect from 10.5.2001. As per G.P.F. Rules a person can be entitled to draw full and final accumulation only from the date of filing of the application. The petitioner in view of his order of voluntary retirement being passed in the year 2012 could not have asked for final withdrawal of amount of G.P.F. any date prior to Annexure 1/A, the notification dated 3.4.2012.

Thus, there would be no question of payment of interest to the petitioner from 10.5.2001 to 3.4.2012.

The issue as to which of the date will now be the beginning point for payment of interest will again be dependent on the fact as to on which date the petitioner had filed his application for final

withdrawal of the G.P.F. amount. That date is also missing in the pleadings of the writ application.

In that view of the matter, this Court does not find the petitioner to be entitled for payment of any interest on the amount of G.P.F. This application is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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