

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22372 of 2014

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Radha Kant Singh @ Atal Bihari Singh, Son of : Late Brij Narayan Singh,
Resident of Village: Bahra, P.O. Behra, P.S. Muffasil, District: Bhojpur, at
present residing at Bishnu Pad Road near Rajsthan Bhawan Chand Chaura,
Gaya- 823001.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Home Department
,Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Magadh Division ,Gaya.
4. The Inspector General of Police, Tirhut Division , Muzaffarpur.
5. The Superintendent of Police, Gaya.
6. The Superintendent of Police, Bagaha.
7. The District Provident Fund Officer, Gaya.
8. The District Provident Fund Officer, Bagaha.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh, Adv

For the Respondent/s : Mr. Amit Kumar Anand AC to GP 15

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 03-04-2015 Heard learned counsel for the parties.

The petitioner is a dismissed employee of the police department. He was also criminally prosecuted after his dismissal from service in the year 2008 and in which he had earned acquittal in the pending trial against him under a judgment dated 21.09.2013.

The grievance of the petitioner is that he has not been paid his amount of G.P.F. which was deposited by

him while he was continuing in service.

This Court from the alleged application filed by the petitioner on 12.02.2014, as contained in Annexure-3 would find that the petitioner claims to have filed an application for payment of the amount of G.P.F., before the District Provident Fund Officer, Bagha.

In the considered opinion of this Court, Bagha only being a sub-divisional headquarter, there cannot be any District Provident Fund Officer. This application of the petitioner therefore does not inspire confidence.

At the same time from the reading of the writ application it is also clear that the petitioner had not filed his application for final withdrawal in terms of G.P.F. Rules and therefore, mere filing of an application before the District Provident Fund Officer would not be sufficient. The payment of G.P.F. amount can only be made after the subscriber files an application by way of final withdrawal form in the prescribed format.

Considering all these aspects, this Court would

direct the petitioner to submit his final withdrawal form in the prescribed format before the District Provident Fund Officer, Bettiah, whereafter the admissible amount of provident fund shall be paid to the petitioner in accordance with G.P.F., Rules within a period of three months from the date of filing of such final withdrawal form by the petitioner.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

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