

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3183 of 2014

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Awadesh Kumar Singh Son of Late Dewata Singh Resident of Village
Narsihma, P.O. Chaubhara, P.S. and District - Aurangabad (Bihar)

.... Petitioner

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Old Secretariat, Patna
2. The District Magistrate, Aurangabad
3. The District Provident Fund Officer, Aurangabad
4. The Director, G.P.F. (Finance Department), Pant Bhawan, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Sinha

For the Respondent/s : AC to GP-14

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-01-2015 Heard learned counsel for the petitioner and learned
A.C. to Govt. Pleader – 14.

The petitioner, who retired on 30-04-2011, has filed the present writ petition with a prayer to make payment of G.P.F. amount with statutory interest. In the prayer portion, the petitioner has also made a prayer for grant of A.C.P. since 09-08-1999. The petitioner has also enclosed the representation filed before the District Provident Fund Officer, Aurangabad.

Ofcourse, in the relief portion, an additional prayer for A.C.P. has been made, no specific statement has been made in the writ petition to corroborate the same. On the contrary, on perusal of the **Annexure '1'** to the writ petition i.e. representation filed by

the petitioner before the District Magistrate, Aurangabad, it is evident that the petitioner had claimed only for payment of G.P.F. amount. It has categorically been stated that the petitioner is getting pension regularly.

In this case, a counter affidavit has been filed on behalf of respondent no. 4, wherein, it has been indicated that immediately after receipt of the information within two days, authorization was made in respect of claim of G.P.F. The G.P.F. amount has also been paid alongwith interest. No reply to the counter affidavit has been filed. It further appears that the petitioner had earlier filed another writ petition for retiral dues.

In view of the facts that claim of G.P.F. has already been redressed, which has also been accepted by learned counsel for the petitioner and no statement has been made regarding the claim of the A.C.P. nor such claim was made before the authority concerned by the petitioner by filing any representation. On second part, no order can be passed. Since the G.P.F. amount has already been paid, the petition stands disposed of.

(Rakesh Kumar, J.)

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