

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7226 of 2011

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Ram Naresh Prasad Sharma, son of late Amira Prasad Sharma, resident of Village-
Karande, P. S. Karande, District- Sheikhpura.

.... Petitioner

Versus

1. The Union of India.
2. The Post Master General, Bihar, Patna.
3. The Post Master, Aliganj Post Office, Police Station- Aliganj, District- Jamui.
4. The Post Master, Chewara Post Office, Police Station- Chewara, District-
Sheikhpura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate.

For the Respondent/s : Mr. Sanjay Kumar(A.SG)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL JUDGMENT

Date: 14-01-2015

The petitioner was appointed as an Assistant Teacher, in Sri Bijo Janki High School, Ekarha, in the year 1967, and the G.P.F. amount used to deposited in Chewara Post Office, Munger, under Account No. 360796. When the petitioner joined Janta High School, Aliganj Sonekhar, Munger, he made several applications to the Post Office, Chewara, for closing the account and transferring the same to Aliganj Post Office. However, the account was not transferred and the petitioner, therefore, opened a new T-P.F. Account bearing Account No. 610777, dated 02.08.1977, at Post Office, Aliganj, and used to deposit his G.P.F. in the said account till 1984 and,



after the school was taken over, he used to deposit in the treasury of District Education Officer, Munger, bearing Account No. 1266. As the petitioner has not been refunded the G.P.F. amount despite repeated requests and representations, he has filed this writ application, under Article 226 of the Constitution of India, seeking issuance of appropriate writ.

2. The fact that the petitioner has G.P.F. amount lying in his name with the Post Office is not in dispute. It has further been contended by the respondents that pass book is required, but the petitioner has not deposited the pass book and that is why, the request for payment of G.P.F. amount has not been made.

3. On the other hand, the petitioner claims that he has deposited the pass book.

4. Considering the matter in its entirety and in the interest of justice, it is hereby directed that the Head Master, Janta High School, Aliganj Sonekhar, Munger, shall forward the necessary papers for payment of G.P.F. amount of the petitioner to Sub-post Office, Aliganj, and Post Master, Sub-post Office, Aliganj, shall, in turn, send the petitioner's papers, relating to refund of G.P.F., to

Chewara Post Office, Jamui, for obtaining necessary payment. While forwarding the necessary papers, the Head Master, Janta High School, Aliganj Sonekhar, Munger, shall also forward, therewith, an Indemnity Bond to be executed by the petitioner undertaking to repay the sum or any part thereof if the petitioner is not found entitled to the payment of the G.P.F. amount. Thereafter, G.P.F. amount shall be paid to the petitioner.

5. The whole exercise, so directed, shall be completed within a period of three months from the date of receipt of a copy of this order by the Head Master, Janta High School, Aliganj, Sonekhar, Munger. The petitioner shall furnish to the Head Master a certified copy of this order along with necessary application.

6. In terms of the above observations and directions, this writ petition shall stand disposed of.

7. No order as to costs.

(I. A. Ansari, J.)

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