

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10994 of 2011

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Doman Sah, Son of Late Tetar Sah, Resident of Line Bazar, P.S. K. Hat, District-
Purnia.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Irrigation Bihar, Patna.
3. The Executive Engineer, Department of Minor Irrigation, Katihar Division,
Katihar.
4. The Accountant General (A& E), Bihar, Patna.
5. The Managing Director, Bihar State Construction Corporation, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jagdish Prasad Bhagat, Advocate.
For the State	:	Mr. Sanjay Pandey, G.P. 21 & Mr. Vivek Anand Amitesh, A.C. to G.P. 21.
For the A.G.	:	Mr. Dhanendra Chaubey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 07-10-2015

Heard learned counsel for the parties.

The only dispute which remains is whether the petitioner applied within six months of his date of superannuation, i.e., 30.09.1997, for final withdrawal of his GPF amount or in the year 2007. As per Annexure-7, which is copy of the application of the petitioner dated 15.01.1998 petitioner submitted the form for GPF withdrawal on that day before the authority concerned but according to the respondents, the same is incorrect as the officer to whom it is addressed was not posted at the relevant time. It is also their stand that the petitioner applied for final withdrawal only in the year 2007 and thus in view of the decision of the Full Bench of this Court in the case of **Ram Gulam vs. State of Bihar** reported in **2015(1) PLJR 568**, the petitioner

shall not be entitled to interest on delayed payment of GPF.

Faced with the situation, learned counsel for the petitioner submits that the writ petition be disposed off with liberty to the petitioner to move before the appropriate forum for declaration that he had applied for final withdrawal of GPF within six months from the date of his superannuation.

In view of the aforesaid, the writ petition stands disposed off with the liberty aforesaid.

(Ahsanuddin Amanullah, J.)

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