

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6105 of 2015

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Nand Kishore Pandey, son of Late Sri Chandradeo Pandey, C/o Niraj
Gopal Soda Godam , Laxmi Chowk , Brahampur, District- Muzaffarpur
..... Petitioner/s

Versus

1. The State of Bihar through Secretary, Human Resources Department,
Bihar, Patna
2. Director , Higher Education, Bihar, Patna
3. District Education Officer, Motihari, (East Champaran).
4. District Education Officer, Muzaffarpur
5. District Provident Fund Officer, Motihari (East Champaran).
6. District Provident Fund Officer, Muzaffarpur.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Poddar Suresh Gandhi, Advocate.

For the Respondent/s : Mr. Vinay Kirti Singh- GA3

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 03-07-2015

Heard learned counsel for the parties.

2. Having regard to the fact that the sole petitioner is
said to have died, this writ application in absence of substitution
has already abated.

3. Considering the fact the grievance of the deceased
petitioner, in respect of non-payment of the amount of provident
fund, was based on his incorrect or half baked information, this
Court would however give liberty to the heirs/legal representative
of the deceased petitioner to raise this issue after making full
enquiry as to the period in which the deceased petitioner had made
contribution in the General Provident Fund after becoming a
Government servant. In other words, they must find the date on

which the deceased petitioner became the member of the General Provident Fund account after his take over of his service by the State Government and was not paid the amount of G.P.F. deposited by him during his service period as a government servant.

4. To be more clear, neither deceased petitioner could nor his heirs/legal representatives can claim payment of G.P.F. from the Government for the period the deceased petitioner was employed in a private High School which was taken over by the State Government only with effect from 02.10.1980 and therefore the liability of payment of amount of G.P.F. with statutory interest can be fastened on the Government only for the period his contribution was deducted from his salary while he was working as a government servant.

5. With the aforementioned observation and liberty this writ application stands abated.

Sujit/-

(Mihir Kumar Jha, J)

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