

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5127 of 2015

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Kali Prasad son of Late Bhukhan Mahto, resident of Village- Girdhar
Banshaw, P.O.- Nawanagar, P.S. Nawanagar, District- Buxar

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary Irrigation Department, Government of Bihar, Patna.
3. The Executive Engineer, Irrigation Division, Nawanagar, Bihar.
4. The District Magistrate, Buxar.
5. The District Provident fund Officer, Ara.
6. Sri Amit Kumar, Account Clerck, Irrigation Division, Nawanagar, Bihar.
7. The Treasury Officer, Dumraon.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Brajesh Prasad Gupta

For the Respondent/s : Mr. Ga1- Shyam Kishor Sharma

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 08-05-2015 Heard learned counsel for the parties.

2. While this Court would find that there is no valid explanation for non-payment of the amount of GPF to the petitioner for the period 29.11.2013 to 4.5.2015 and that on account of non-payment of the amount of provident fund to the tune of Rs.1,93,345/- the petitioner has been made to lose interest over the same due to laches on the part of the concerned Executive Engineer and his office, it would accordingly direct for payment of statutory interest on the aforementioned amount of provident fund to the petitioner by the Executive Engineer within a period of one month from today, failing which he (respondent no.3) will not draw his salary till payment of such interest by him to the

petitioner.

3. It will be, however, open for the Executive Engineer to fix responsibility and recover the aforesaid amount of interest from the person concerned who had lost the authority slip of the petitioner and due to which payment of provident of the petitioner was delayed.

4. As with regard to rest of two balance amount of leave encashment to the tune of Rs.19,680/- and the balance amount of arrears of salary of Rs.5,971/- there being no dispute, the concerned Executive Engineer is also directed to also pay the same to the petitioner within a period of one month but without any interest.

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

(Mihir Kumar Jha, J)

surendra/-

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