

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1774 of 2016

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Yogendra Kumar, Son of Late Mukhlal Ram, Resident of village- Sudhiya Nathan,
P.O. Balra Ismile, Via- Baghi, P.S.- Kurhani, District- Muzaffarpur, the retired
Rajaswa Karamchari, Sursand Anchal, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms
Department, Government of Bihar, Patna.
2. The District Magistrate Sitamarhi, District- Sitamarhi.
3. The Circle Officer, Sursand, District- Sitamarhi.
4. The District Provident Fund Officer, Sitamarhi, District- Sitamarhi.
5. The Accountant General, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

For the Respondent/s : Mr. Madhaw Prasad Yadav, GP-23

Mr. Arvind Kumar, AC to GP-23

For the Accountant General : Mr. Sanjay Kumar, ASG

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL JUDGMENT

Date: 17-09-2016

Heard learned counsel for the petitioner and the
respondents.

2. The petitioner was appointed as a Rajaswa Karamchari
in the year 1974. He retired on 31.12.2009, while serving as Rajaswa
Karamchari in Sursand Anchal in the district of Sitamarhi.

3. The petitioner submits that he has not been paid his
gratuity, Pension, Provident Fund, Group Insurance and Earned Leave
encashment.

4. Counter affidavits have been filed on behalf of
respondent no.4 and respondent nos. 2 and 3. In para 5 of the counter



filed on behalf of respondent nos. 2 and 3, it has been stated that the pension papers and service book of the petitioner has been forwarded to Accountant General, Bihar vide letter no. 150, dated 09.04.2016, for sanction of final pension and gratuity. It is further stated that after sanction order from the office of Accountant General, Bihar, final pension and gratuity will be paid through the Bank account of the petitioner of his choice.

5. The petitioner further submits that the G.P.F. amount has also not been paid to him.

6. Having regard to the facts and circumstances of the case, the writ application is disposed of with the following directions:

(i) As the pension papers and the service book of the petitioner has been sent to the Accountant General, Bihar, Patna. The latter would issue necessary authorization letter, if not already issued, within a period of four weeks from the date of receipt of a copy of this order.

(ii) So far as the dispute of payment of G.P.F. amount is concerned, the petitioner may file a detailed representation before the District Provident Fund Officer, Sitamarhi, who would duly look into the grievance of the petitioner and, if any, amount is due, the same would be paid to the petitioner.

7. It goes without saying that the petitioner would be

entitled for statutory interest on delayed payment of G.P.F. amount

(Samarendra Pratap Singh, J.)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.09.2016
Transmission Date	