IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3174 of 2012

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1. Shrikant Chaubey S/O Late Ramadhar Chaubey R/O Village- Sultanpur, P.O.- Upari, District- Kaimur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Art, Culture And Youth Department, Vikas Bhawan, Patna
2. The Secretary, Art, Culture And Youth Department, Vikas Bhawan, Patna
3. The Director (Youth-Welare) Cum Deputy Secretary, Art, Culture And Youth Department, Vikas Bhawan, Patna
4. The District Education Officer, Rohtas
5. The District Provident Fund Officer, Rohtas
6. The Accountant General, Bihar, Birchand Patel Path, Patna
7. The Accountant General, U.P., Allahabad
8. Union of India through the Secretary, H.R.D. Department, New Delhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bankey Bihari Singh
Mr. sanjay Kumar
For the State : Mr. Tej Pratap Singh, AC to GP 17
For Accountant General, U.P. : Mr. Ram Kinker Choubey
For Union of India : Mr. Awadhesh Kumar Pandey, SCGC
Mr. Ravinder Kumar Sharma, CGC
For Accountant General, Bihar : Mr. Madhuresh Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

10 21-07-2016 Heard learned Counsel for the parties concerned.

This writ application has been filed in 2012, seeking a direction, inter *alia,* to calculate and pay the amount of General Provident Fund, deposited in the Account No. C/ED/U/250/CU10275 with Accountant General, Uttar Pradesh, Allahabad. There is no dispute about the fact that the petitioner retired as Assistant Superintendent, Physical Education, from the State of Bihar. Before his services were absorbed in the State of Bihar, he had worked as National Discipline Scheme Instructor, under the Union of India and was posted for sometime in Uttar Pradesh. While working as such, a provident fund account was said to have been opened with the Accountant General, Uttar Pradesh, Allahabad.

In the present writ application, the petitioner seeks a direction to the respondents-State of Bihar, to take into account the deductions made from salary of the petitioner for being deposited in the provident fund account when he was posted in Uttar Pradesh as National Discipline Scheme Instructor, under the Union of India.

The present writ application deserves to be dismissed for two fundamental reasons. Firstly, there is no averment in the writ application that the amount, deposited in the General Provident Fund Account of the petitioner with the Accountant General, Uttar Pradesh, Allahabad, was transferred to his General Provident Fund Account, opened in the State of Bihar, after absorption of his services under the State of Bihar. Secondly, there is no justification of delay in approaching this Court after nearly 15 years after the petitioner retired from services in the year 1997.

For the reasons above, this application stands dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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