

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6290 of 2014

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1. Tej Narayan Sharma Son Of Late Ram Singar Thakur Resident Of Village And P.O. Yasoda Math, P.S. Motipur, District - Muzaffarpur, The Retired Assistant Teacher, Nationalized Primary School, Birpur, Anchal - Kanti, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Provident Fund Directorate, Bihar, Patna
3. The District Education Officer, Muzaffarpur, District - Muzaffarpur
4. The District Program Officer (Establishment), Muzaffarpur, District - Muzaffarpur
5. The District Provident Fund Officer, Muzaffarpur, District - Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. MADHURESH PRASAD

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 30-01-2016

Having heard the parties and considering the fact that only grievance with regard to non-payment of G.P.F. amount has been raised in this application, the same is being disposed of with the consent of the parties, at this stage.

Petitioner while serving as Assistant Teacher in Nationalized Primary School, Birpur in the district of Muzaffarpur, superannuated on 31.07.2007. Counsel for the petitioner submits that entire retiral dues except G.P.F. amount have been authorized by the respondent. In paragraph 7 of the writ petition, it has been stated that the Provident Fund A/C no. MFD/EDN-7561 was opened in which the petitioner subscribed. The final withdrawal application of the G.P.F. amount after retirement was also furnished/submitted. Still, the respondents have not cleared and paid the dues with interest according

to the resolution of the Government issued in the Department of Finance. It is stated that a representation in this regard has been filed before the respondent District Programme Officer (Establishment) which has not been addressed by him.

Counsel for the State, appreciating the statement of the petitioner, submits that if the petitioner has subscribed to the G.P.F. account and has not been paid his dues thereunder, the writ application may be disposed of directing the concerned respondent to examine the said grievance of the petitioner and take appropriate decision and/or pass appropriate order in accordance with law.

Considering the above, the writ application is disposed of by permitting the petitioner to file a fresh representation before the District Programme Officer (Establishment) (respondent no. 4) as well as the District Provident Fund Officer (respondent no. 5) within four weeks. If any such application(s) is/are filed before them, the said respondent, acting in tandem, will examine the grievance of the petitioner and take appropriate decision and/or pass appropriate order for payment of the G.P.F. amount including the admissible interest as quickly as possible preferably within two months from the date of such filing of representation.

(Kishore Kumar Mandal, J)

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