

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1879 of 2015

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Gopal Singh, s/o late Dhanuk Singh, resident of village Kudrasi, P.O & P.S - Rampur Chauram, Distt.- Arwal

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Primary Education Department, Vikash Bhawan, Bailey Road, Patna.
2. The Director, Primary Education, Education Department, Vikash Bhawan Secretariat, Bailey Road, Patna.
3. The Director, Directorate General, Provident Fund, Pant Bhawan, Bailey Road, Patna
4. The Collector Jehanabad, Distt. Jehanabad
5. The Collector, Arwal, Distt. Arwal
6. The District Provident Fund Officer, Jehanabad
7. The District Programme Officer(Establishment),Jehanabad, Distt. Jehanabad
8. The District Programme Officer(Establishment), Arwal, Distt. Arwal
9. The Drawing & Disbursing Officer, Primary School Nisarpur Sawwar, Anchal-Arwal, Distt.-Arwal
10. The Treasury Officer, Arwal, Distt.-Arwal
11. The Project Incharge, T.C.S, Finance Department, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. Ghanshyam Sharma, Advocate.

For the Respondents : Mr. Rajesh singh, G.P.-16

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 01-12-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner's wife retired from service on 31st December, 2006 as Assistant Teacher from Primary School, Nisarpur Sawwar, Arwal.

3. It has been contended by the learned counsel for the petitioner that a sum of Rs.20,000/- was wrongly adjusted from the account of the deceased wife of the petitioner under the head



G.P.F. The writ petition has been filed on 29.1.2015 seeking release of the said amount of Rs.20,000/-.

4. Learned counsel for the State has contested the matter. He has contended that the wife of the petitioner died in the year 2012. During her lifetime, she had never made any claim in respect of illegal adjustment of Rs.20,000/- from her G.P.F. account, but after death her husband has raised a stale claim which is fit to be rejected.

5. I have heard learned counsel for the parties and perused the record. I find substance in the argument of the learned counsel for the State. It was for the employee concerned to say whether the said amount adjusted from her account was rightly adjusted or not. Admittedly, the wife of the petitioner, who was in service, had never objected to such adjustment made from her G.P.F. She was paid all her post retiral benefits during her lifetime. The claim made by the petitioner three years after the death of his wife lacks merit.

6. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	9/12/2016
Transmission Date	N/A.

