

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6856 of 2016

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Ram Chandra Chaudhary, S/o Sita Chaudhary, Resident of Village- Barni Bajar, P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Commissioner, Excise E.I.B., Bihar, Patna.
2. The Commissioner, Excise, E.I.B., Bihar, Patna.
3. The Deputy Commissioner, Excise, Bihar, Patna.
4. The Superintendent of Excise, Sheikhpura, P.S.+District- Sheikhpura.
5. The Assistant Director, G.P.F., Directorate, Finance Department, Bihar, Patna.
6. District Provident Fund Officer, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Adv.

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-09-2016 Heard the learned counsel for the petitioner. However, none appears on behalf of the State of Bihar and its functionaries, though the name of the learned State counsel is printed in the daily cause list.

The petitioner having superannuated from service from the post of Assistant Sub-Inspector, Excise on 31.05.2015 has filed the present writ petition for issuance of direction to the respondents for payment of his G.P.F. amount with statutory interest.

In view of the nature of the grievances/claims raised on behalf of the petitioner in the present writ petition, this Court is of the opinion that, instead of keeping the matter pending before this Court and asking the respondents to file their counter affidavit, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent District Provident Fund

Officer, Munger (respondent no.6) with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioner with a certified copy of the present order within a period of one month from today, then the respondent District Provident Fund Officer, Munger either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law, by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the petitioner, besides others, if any, at an early date, preferably within a period of three months from the date of filing of such representation by the petitioner.

If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and it is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

Arvind/-

(Birendra Prasad Verma, J)

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