

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22066 of 2014

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Krishna Devi

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Respondent/s : Mr. Sc2- Nawal Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

3 22-10-2016

Heard learned counsel for the parties.

The petitioner is the widow of late Hari Prasad, who died on 06.01.1989 in harness while serving as Junior Engineer in Rural Engineering Organization, Work Division, Darbhanga, in the office of Executive Engineer. The petitioner seeks direction to the respondents for payment of General Provident Fund with admissible interest thereon, which has been deducted from his salary during his service period. The details of deduction made during his service period, has been mentioned in para -6 of the writ petition and a deduction report has also been annexed as Annexure 1 to Annexure 4.

A counter affidavit has been filed on behalf of the respondent No. 3, namely, The District Provident Fund Officer, Darbhanga. It is stated in para 6 of the counter affidavit that a letter has been sent to the Executive Engineer, Rural Engineer



Organization for sending the final withdrawal statement and deduction made, vide office letter, dated 02.01.2015. A reminder of the same was also sent to the D.D.O, respondent No. 2, for sending the requisite deduction statement and final withdrawal application vide office, letter No. 321, dated 24.03.2015 and letter No. 554, dated 22.05.2015. Copies of these letters has been annexed as annexure B and C.

It appears that on account of non submission of response from respondent No. 2, the respondent No. 3 is not able to make payment of the provident fund amount to the petitioner.

In view of the above, respondent No. 2, The Executive Engineer, Rural Engineering Organization, Work Division, Darbhanga, is hereby directed to immediately sent the details, aforementioned to the District Provident Fund Officer, District Provident Fund Office, Darbhanga, forthwith and if there is any delay in dispatching the said information, the same would be viewed seriously by this Court keeping in view the fact that the petitioner is a widow lady. It goes without saying that as soon as the response received, the respondent No. 3, would duly make the payment along with statutory interest to the petitioner.

Let a copy of this order be forwarded to the District Magistrate, Darbhanga as well as respondent No. 1, namely, the

Director, Provident Fund, Bihar, Patna.

With aforesaid observation and direction, this writ application is disposed of.

(Samarendra Pratap Singh, J)

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