

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16605 of 2014

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Chandra Dip Yadav son of Late Chhotan Yadav, resident of Village - Chandi, P.O. and P.S. Chandi, District - Nalanda at present residing Lekhanagar, Khagaul Danapur Cant Road, P.O. Khagaul, P.S. Danapur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Accountant General, Bihar, Patna
3. The Director, Secondary Education, Department, Bihar, Patna
4. The Under Secretary, Education Department, Bihar, Patna
5. The District Magistrate, Patna
6. The Additional Collector (Establishment), Patna
7. The District Education officer, Patna
8. The District Programme Officer (Establishment), Patna
9. The Headmaster/Headmistress High School Akauna, Punpun, District - Patna
10. Mrs. Meena Kumari Sinha wife of not known, Head Mistress, High School Akauna, Punpun, District - Patna
11. Md. Islam son of not known, the then In - Charge Headmaster High School, Akauna, Punpun, District - Patna
12. The Director, General Provident Fund, Bihar, Patna
13. The District Provident Fund Officer, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Verma, Advocate

For the Respondent Nos.1,3 to 13: Mr.Dhirendra Kumar, AC to AAG X

For the Respondent No.2 : Mr. Vivekanand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-01-2016

Heard the parties.

2. The present writ petition has been filed on behalf of the petitioner for the reliefs enumerated in paragraph 1 of the writ petition, which reads as follows:

“That this is an application for issuance of an appropriate writ/writs, order/orders, direction/directions and commanding the respondent authorities to release the retrial benefits i.e. GPF amount, leave encashment amount and any other admissible dues with 18% interest which is entitled to the petitioner, who had retired from the post of Headmaster, High School, Akauna, Punpun

within the district of Patna on 30.06.2013”.

3. The learned counsel appearing on behalf of the petitioner has fairly submitted that, during the pendency of the present writ petition, the major part of the grievances have been redressed, but some part of the grievances are yet to be redressed on account of delayed payment of GPF and leave encashment amount on 15.11.2014.

4. The learned counsel appearing on behalf of the respondents, by referring to the averments made in the counter affidavits, submit that the lawful dues of the petitioner have already been paid, but if the petitioner still has some grievances, then he may file a representation before the competent authority, which shall be considered and decided in accordance with law.

5. In above view of the matter, the petitioner is granted liberty to file a comprehensive representation with respect to surviving claims regarding retrial dues before the District Provident Fund Officer, Patna (respondent no.13) with all supporting documents in support of his valid claims. 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, Patna either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims of the petitioner by a reasoned and speaking order, after giving an opportunity of personal hearing to the petitioner, at an early date preferably within a period of three months from the date of filing of such representation by the petitioner.

6. If on consideration of the materials and after giving an opportunity of personal hearing to the petitioner the competent

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

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

(Birendra Prasad Verma, J)

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