

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 11078 of 2014

Radha Mohan Rai, Son of Late Jagannath Rai, Resident of Civil Lines, Hospital Road, Buxar, P.S.- Buxar Town in the district of Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Director, Dechi Chikitsa, Department of Health, Government of Bihar, Patna.
4. The Joint Secretary, Department of Health, Government of Bihar, Patna.
5. The Principal, Government Sri Dhanvantri Ayurvedic College, Buxar.
6. The District Provident Fund Officer, Bhojpur.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Respondent/s: Mr. Arun Kumar Bhagat, A.C. to AAG-12.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 08-08-2016

Heard learned counsels for the parties.

The petitioner was working as Principal of Government Sri Dhanvantri Ayurvedic College and Hospital, Ahirauli, Buxar. On the charge of certain misconduct, he was dismissed from service. His service appeal is pending before the competent authority.

In the meanwhile, he had applied for final withdrawal of the General Provident Fund amount. This is not in dispute that on the basis of calculation made, a sum of Rs. 4,08,631/- was found payable to him against General

Provident Fund amount as on 24.04.2013. The said amount has not been released in favour of the petitioner on the ground that certain recoveries are to be made from him on the ground that he had made certain illegal appointments.

Be that as it may, there is no legal justification for withholding of the General Provident Fund amount. The respondents are directed to release the said amount along with statutory rate of interest within a period of one month from the date of receipt/production of a copy of this order.

Accordingly, this application stands allowed.

(Chakradhari Sharan Singh, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.08.2016
Transmission Date	N.A.