

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20377 of 2011

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Mohammad Ziaullah Khan S/O Late Ehsanullah Khan R/O Village- Kopa, P.O.-
Kopa Bazaar, P.S.- Kopa, District- Saran (Chapra)

.... Petitioner/s

Versus

1. The Union Of India through The Secretary, Ministry Of Human Resources
Development Department, Government Of India, New Delhi
2. The Principal Pay And Account Officer Ministry Of Human Resources
Development Department, Education Department, Shastri Bhawan, New Delhi
3. The State Of Bihar through The Secretary, Art, Culture And Youth Department,
Vikas Bhawan, Patna
4. The Director (Youth-Welfare) Art, Culture And Youth Department, Vikas
Bhawan, Patna
5. The Director, G.P.F., Government Of Bihar, Pant Bhawan, Patna
6. The District Education Officer, Saran (Chapra)
7. The District Provident Fund Officer, Saran (Chapra)
8. The Accountant General, Bihar, Patna
9. The Accountant General, U.P., Allahabad

.... Respondent/s

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Appearance :

For the Petitioner	: Mr. Bankey Bihari Singh, Advocate
For the Union of India	: Mr. Rajesh Kumar Verma, C.G.C.
For the State	: Mr. Ravi Bhardwaj, A.C. to G.A. 5
For the Accountant General, Bihar	: Mr. Kumar Priya Ranjan, Advocate
For the Accountant General, U.P.	: Mr. S. D. Sanjay, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 18-02-2016

Heard learned counsel for the parties.

It appears that the authorities have now themselves made calculation with regard to G.P.F. deduction with statutory interest and, according to them, the petitioner is still required to be paid Rs. 1914/- on the said head. This is an addition to the petitioner having been found entitled to Rs. 22510/- for which the advise has already been sent to the G.P.F. office, Chapra District, Chapra, Bihar.

In view of the aforesaid, respondent no. 7 is directed to ensure that the same is paid to the petitioner within one week from the date of production of a copy of this order before him.

Learned counsel for the petitioner has produced web copy of order dated 08.05.2015 passed in M.J.C. No. 3068 of 2011 by which a co-ordinate Bench of this Court in the case of Raghunandan Singh, a person who is similarly situated to the petitioner, has issued direction, which according to him, also be passed by this Court.

Learned counsel for the parties are in agreement with such submission.

Accordingly, the Court directs the Accountant General, Allahabad or his nominee and the Secretary, Human Resources

Development Department, Government of India or his nominee to sit together and resolve the dispute of G.P.F. of the petitioner and pay the same within a period of four weeks from the date of production of a copy of this order upon the respondents no. 1, 2 and 9.

The Court has passed the order also keeping in mind the Letter No. Pr. AO /HRD/ Admn./Prof.'B'/GPF/2012-13/1458 dated 08.08.2012 of the Deputy Controller of Accounts, Ministry of Human Resource Development, New Delhi and its reply under Letter No. 10 (Misc) TA/Pt/646 dated 16.08.2012 by the Deputy Controller General of Accounts, Ministry of Finance, Department of Expenditure, New Delhi brought to its notice by Mr. S. D. Sanjay, learned Additional Solicitor General.

It goes without saying that since the authorities have admitted that Rs.1382/- was the amount in the account of the petitioner in the year 1973-74, the payment shall be made to the petitioner calculating up-to-date statutory interest on the same.

The writ petition stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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