

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13553 of 2014

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1. Manoj Kumar Paul son of Late Bhuneshwar Paul Resident of village - Mednipur, P.O. Mednipur, P.S. Mednipur, District - Katihar at present resident of village - Pakridayal, P.O. Pakridayal P.S. Pakrideyal, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General and Administrative Department, Govt. of Bihar, Patna
2. The Principal Secretary, Health Department Govt. of Bihar, Patna
3. The District Magistrate, Motihari, East Champaran
4. The Civil Surgeon cum Chief Medical Officer, Motihari, East Champaran
5. Health Officer, Primary Health Centre Pakridayal District - East Champaran
6. Yuvraj Kumar Paul son of Late Bhuneshwar Paul Resident of village - Mednipur, P.O. Mednipur, P.S. Mednipur, District - East Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii
For the Respondent/s : Mr. Anil Kr Uapdhyay

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 21-07-2016 Heard learned Counsel for the parties
concerned.

The mother of the petitioner is said to have died in harness on 11.10.2011, as Mahila Kaccha Sevika, at Primary Health Centre, Pakridayal, East Champaran.

There is no dispute over payment of pension and gratuity and other dues except the amount of General Provident Fund and cash equivalent to earned leave.

The petitioner is one of the two sons of the

deceased employee. It is claimed by the petitioner that before his mother died, on 11.10.2011, she had made it clear that all pensionary entitlements shall be paid to the petitioner, the youngest son.

It transpires from the pleadings on record that there is apparent dispute as to who will receive the amount of General Provident Fund and cash equivalent to earned leave. The said amount can be paid only after furnishing succession certified in this regard.

Accordingly, it is directed that based on the succession certificate, which may be obtained by the petitioner, the respondents shall release the amount of General Provident Fund and cash equivalent to earned leave within a period of two months from the date of submission of succession certificate.

This application is disposed of accordingly.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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