

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14250 of 2014

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1. Neelam Kumari Sinha W/o Sri Suryanarayan Singh, Resident of Village - Narar Madhubani Tola, P.O. Narar, P.S. Kaluahi, District - Madhubani.
2. Naresh Kumar S/o Sri Ram Narayan Kuswaha, Resident of Village - Narar Madhubani Tola, P.O. Narar, P.S. Kaluahi, District - Madhubani.

.... Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Education Officer, Madhubani.
4. The District Programme Officer (Establishment), Madhubani.
5. The Accountant General, Bihar, Patna
6. The Director, Provident Fund, Govt. of Bihar, Patna
7. The District Provident Fund Officer, Madhubani

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Adv.

For the Respondent/s : Mr. AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-01-2016 Learned counsel for the petitioner is permitted to implead the Director, Provident Fund, Bihar, Patna as Respondent no.6 and the District Provident Fund Officer, Madhubani as Respondent no.7, in course of the day.

Heard learned counsel for the petitioner, learned AC to GP-12 as well as learned counsel for the Accountant General, Bihar.

Two petitioners, who are daughter and nephew respectively of the employee, namely, Raj Kumari Devi, who died on 23.07.2012, while functioning as Assistant Teacher



in Rajkiya Middle School, Pathrahi under Block Ladania ,District- Madhubani, have approached this Court with a prayer to direct the Respondents to pay all death-cum- retiral dues of the deceased employee. It has been claimed that the deceased employee has nominated both the petitioners in respect of Provident Fund Account of the employee. Despite the fact that petitioners filed representation before the authority concerned, till date no decision has been taken nor death-cum- retiral dues has been paid.

Instead of keeping the matter pending, this Court proposes to dispose of the writ petition granting liberty to the petitioners to file fresh representation before the newly added Respondents within a period of six weeks from today, who thereafter may examine the same and pass appropriate order in accordance with law. If there is no legal hurdle, the payment order must be passed within a period two months thereafter.

So far as other claim is concerned, the petitioners may file representation before the Respondent no.4/ District Programme Officer (Establishment) Madhubani within a period of six weeks from today, who may examine the same within a period of four months from the date of filing of such representation. If the claim is considered as genuine, payment order may be passed

within the aforesaid time. It is made clear that if sanction order is received from the State Government by the Accountant General, thereafter within a period of one month authority slip may be issued by the Accountant General..

With above observation and direction, the writ petition stands disposed of.

(Rakesh Kumar, J)

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