

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1123 of 2015

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Digambar Jha son of late Mahendra Jha, resindent of village- Dhanauja, P.S.-
Benipatti, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Madhubani
2. The District Education Officer, Madhubani
3. The District Programme Officer (Establishment) Madhubani.
4. The District Provident Fund Officer, Madhubani
5. The Director Provident Fund, Bihar, Patna.
6. The Headmaster, Middle School Sapta Sahri, Madhubani

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Respondent/s : Mr. Geeta Kumari

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 20-12-2016

The instant writ petition has been filed with regard to
claim of the petitioner relating to payment of GPF amount deducted
prior to the year 1976.

2. The petitioner was appointed as Assistant
Teacher on 15.01.1973 in the Middle School Damodarpur,
Benipatti in the district of Madhubani. He retired from service on
attaining the age of superannuation on 31.08.2014 from the Middle
School, Sapta Sahari in the district of Madhubani.

3. It has been contended by the leaned counsel for



the petitioner that all the post retiral dues, including the provident fund from the period December, 1976 to 31.08.2014 has been paid to him, but the provident fund amount deposited by him for the period 1973 to 30.10.1976 amounting to Rs.12,178/- has not been paid till date.

4. A counter-affidavit has been filed on behalf of respondent no. 3, the District Programme Officer (Establishment), Madhubani. In para-7 of the counter-affidavit it is stated as under :-

“7. That it is humbly submitted and stated that subsequently vide Letter No. 99 dated 01.10.2015, Letter No.17.12.2015 as well as Letter No. 549 dated 04.03.2016, the Director, Primary Education has been requested with to provide the funds so as to enable payment to all such employees/teachers including the petitioner.”

5. The contention of the learned counsel for the State is that the claim of the petitioner has been processed but due to paucity of fund the amount could not be paid to him so far.

6. Considering the submissions made on behalf of the parties, I direct District Programme Officer (Establishment), Madhubani to pay the due amount of GPF deducted prior to 1976 to the petitioner within four weeks from today failing which the said



amount would earn interest at the rate of eight percent per annum from the date it became due till the date of its payment.

7. With the aforesaid observations and directions, the writ petition stands allowed, but there shall be no order as to costs.

(Ashwani Kumar Singh, J.)

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AFR/NAFR	NAFR
CAV DATE	...
Uploading Date	21.12.2016
Transmission Date	

