

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17536 of 2014

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Sri Shyam Kishore Pandey S/o Late Jhulan Pandey, Resident of Village- Telwar,
P.S. - Harnaut, Dist.- Nalanda, Bihar

.... Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Patna
2. The Principal Secretary, Health Department, Patna, Bihar
3. The District Magistrate, Muzaffarpur
4. The Civil Surgeon-Cum-Chief Medical Officer, Muzaffarpur
5. The In-charge Medical Officer, Primary Health Centre, Buchanan, Muzaffarpur
6. The Chief Accountant General, Bihar, Patna
7. The Provident Fund Officer, Muzaffarpur
8. The District Account Officers, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Sinha, Advocate
For the State : Mr. Shyamkant Singh, AC to GP. 15.
For the A.G : Mrs. Nivedita Nirvikar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 08-08-2016

1. The sole grievance which the petitioner has in the present application is that he has not been paid statutory interest on his provident fund amount.

2. The petitioner had earlier approached this Court by filing a writ application giving rise to C.W.J.C. No. 18197 of 2012 which came to be disposed of by order dated 16.10.2012 with direction to the Civil Surgeon-cum-Chief Medical Officer, Muzaffarpur and District Provident Fund Officer, Muzaffarpur to ensure that all the post retrieval dues including GPF amount with statutory interest are paid to the petitioner, within the time prescribed in the said order.

3. Learned counsel for the petitioner has submitted that since

the rate of interest admissible on GPF amount was not mentioned in the order dated 16.10.2012, the respondents have not calculated statutory interest. Statutory interests on GPF amount is decided by the Competent Government from time to time. Prima-facie the submission on behalf of the petitioner appears to be unfounded.

4. However, considering the nature of grievance raised by the petitioner, this application is disposed of with direction to the Director, Provident Fund, Bihar to look into the petitioner's grievance and ensure that whatever is admissible to the petitioner in terms of statutory interest on the general provident fund amount, the same is cleared within a period of two months from the date of receipt/production of a copy of this order.

5. From the counter affidavit it appears that there are certain discrepancies in details of the provident fund deductions. The Director Provident Fund is directed to reconcile such discrepancies and ensure payment of the petitioner's legal dues against the said head, within the aforesaid period of two months.

(Chakradhari Sharan Singh, J)

Prakash/-

AFR/NAFR	NA
CAV DATE	NA
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Transmission Date	