

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21736 of 2012

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1. Khwaja Gholam Rasul Son Of Late Khwaja Gholam Mustafa Resident Of Village Achchepur, P.S. Baisi, District - Purnia Presently Resident Of Mohalla Rajiv Nagar, Road No. 24, Patna - 24

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Human Resources Department, Government Of Bihar, Patna
2. The Director (Administration) Cum Additional Secretary Department Of H.R.D. Government Of Bihar, Patna
3. The Principal Of Government Teacher Training College, Saharsa
4. The District Treasury Officer, Patna, District - Patna
5. The Director Provident Fund, Government Of Bihar, Patna
6. The District Education Officer, Bhojpur At Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Helal Ahmad, Advocate.

Mr. Anjum Akhter, Advocate.

For the Respondent/s : Mr. Rana B.N. Singh, AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

4 16-08-2016 The Director (Administration) -cum- Additional

Secretary, Department of H.R.D. Government of Bihar, Patna is

personally present, in compliance of the order dated 12.08.2016.

A show cause reply has been filed on his behalf, explaining the circumstance, in which, the counter affidavit could not be filed, in the present case. It is his stand that for non-compliance of the order dated 19.12.2012, the petitioner had filed contempt application, and, in the said proceeding, affidavits were filed on behalf of the department. It was out of sheer mistake that in this proceeding, no counter affidavit could be filed.

Considering the nature of explanation, the same is accepted. In show cause reply, filed today, it has been stated that the entire post retrieval dues, to which the petitioner is entitled to, have been cleared, except part of provident fund amount, in as much as, deductions made from the salary of the petitioner, for the period from February, 1979 to April, 1984 could not be taken into account because of the absence of details of such deductions. The Director (Administration)-cum-Additional Secretary, Department of H.R.D. Government of Bihar, Patna, submits that he will take all possible measures to ensure that the petitioner gets the rest of the provident fund amount along with up-to-date statutory interest within a period of four weeks.

This application is accordingly disposed of.

The personal appearance of the Director (Administration)-cum-Additional Secretary, Department of H.R.D. Government of Bihar, Patna is dispensed with for the present.

(Chakradhari Sharan Singh, J.)

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