IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13504 of 2014

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1. Smt. Lalee Devi W/o Sri Surendra Kumar Chandra, resident of Shahid Bhagat Singh Path, Bajrangpuri, P.S. Alam Ganj, P.O. Gulzarbagh, District - Patna retired Head Mistress, Narayani Kanya School, Patna City

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Govt. of Bihar, Vikas Bhawan, Patna
2. The Principal Secretary, Education Department, Govt. of Bihar, Vikas Bhawan, Patna
3. The Director, Secondary Education, Govt. of Bihar, Vikas Bhawan, Patna
4. The Regional Deputy Director of Education, Patna Division, Patna
5. The Inspectress of School, Patna
6. The District Education officer, Patna
7. The District Provident Fund Officer, Patna
8. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Bankey Bihari Singh, Adv.
Mr. Shailendra Prasad, Adv.
Mr. Sanjay Kumar, Adv.
For the State : Mr. Anirban Kundan, SC-24
For Accountant General : Mr. Raj Nandan Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 27-03-2017

The present writ application has been filed by the petitioner for making payment of the pending 10% pension, gratuity, commutation of pension and the provident fund amount.

2. Learned counsel for the State submitted that after filing the writ application, the department has already sanctioned the remaining 10% pension, gratuity and commutation of pension in favour of the petitioner. He submitted that as per the available

deduction statement, the provident fund amount of the petitioner has been calculated and sanctioned for payment.

3. Learned counsel for the Accountant General submitted that in view of the sanction order received from the department, admissible full pension, gratuity and commutation of pension have already been authorized by the office of the Accountant General.

4. In reply, learned counsel for the petitioner submitted that it is true that the pension, gratuity and commutation of pension have been sanctioned and authorized by the respondents. He admitted that authority for Rs.9,48,617/- and Rs.01,01,159/- has also been issued under the head G.P.F. However, there are certain errors in calculation of provident fund amount and certain deductions have not been taken into account while authorizing payment of provident fund.

5. Keeping in mind the submissions made on behalf of the parties, the writ application is disposed of with a direction to the petitioner to file a representation before the District Provident Fund Officer, Patna within a period of four weeks from today in respect of any of his surviving claim regarding non-payment of provident fund amount. In case such a representation is filed, the respondent District Provident Fund Officer, Patna shall examine the same and pass a reasoned order within a period of three months. In case the claim of the petitioner is found admissible, payment should be made within the

aforementioned period. Otherwise, the decision taken by the District Provident Fund Officer, Patna should be communicated to the petitioner on his address by registered post.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29-03-2017
Transmission Date	