

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8324 of 2014

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Md. Khalil Ashrafi, Son of Hafiz Md. Ashraf, Resident of Mohalla- Madraganj Barkidaha, P.O. Gaya, District- Gaya (Bihar), at present residing at Haroon Nagar, Sector- 1, Near Dairy Project House no. 54, Road No. 5 Phulwarishariff, Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna
3. The District Provident Fund Officer, Gaya, District- Gaya
4. The Accountant General (A and E) Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sarvadeo Singh, Advocate

For the Respondent-State: Mr. Tripurari Nath Ambastha, AC to SC-26

For the Respondent-AG : Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 09-03-2017

The petitioner retired from service on 31st of July, 2011 as an Executive Engineer in Sone High Level Canal Division, Tekari Gaya.

2. The grievance of the petitioner is that though he has received other retiral dues and part of the G.P.F. amount, part of the G.P.F. deductions made from his salary has not been accounted



for and paid to him so far.

3. A counter affidavit has been filed on behalf of the District Provident Fund Officer, Gaya, wherein a statement has been made that after obtaining G.P.F. statement from Katihar, Madhubani, Munger, Samastipur, Dumka and Jamtara, the entire due amount of G.P.F. has already been authorized with up-to-date interest.

4. It is submitted by the learned counsel for the State that since the grievance of the petitioner has already been redressed, the writ application has become infructuous.

5. In reply, learned counsel for the petitioner submitted that though the payment has been made in respect of the deductions made while the petitioner was posted at Katihar, Madhubani, Munger, Samastipur, Dumka and Jamtara, the deductions made from the salary of the petitioner while he was posted at Simdega, Gumla and Purnia have neither been calculated nor paid to the petitioner so far.

6. Considering the submissions made above, the writ application is disposed of with a direction to the petitioner to file a comprehensive representation before the District Provident Officer, Gaya within a period of four weeks from today in respect of his G.P.F. claim. In case of filing of such representation, the



District Provident Officer, Gaya shall be obliged to examine the claim of the petitioner and pass a reasoned order within three months and in case any amount is found admissible to the petitioner, the same should also be paid to the petitioner within the aforementioned period.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.03.2017
Transmission Date	NA

